

No 9335. No 345

21-40



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SPECIAL SENATE INVESTIGATION ON CHARGES
AND COUNTERCHARGES INVOLVING: SECRE-
TARY OF THE ARMY ROBERT T. STEVENS, JOHN
G. ADAMS, H. STRUVE HENSEL AND SENATOR
JOE McCARTHY, ROY M. COHN, AND
FRANCIS P. CARR

HEARING
BEFORE THE
SPECIAL SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE ON
GOVERNMENT OPERATIONS
UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

SECOND SESSION

PURSUANT TO

S. Res. 189

PART 33

MAY 14, 1954

Printed for the use of the Committee on Government Operations



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1954

SPECIAL SENATE INVESTIGATION ON CHARGES AND
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ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE
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FRIDAY, MAY 14, 1954

UNITED STATES SENATE,
SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

AFTER RECESS

(The hearing was resumed at 2:10 p. m., pursuant to recess.)

Present: Senator Karl E. Mundt, Republican, South Dakota, chairman; Senator Everett McKinley Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator Henry C. Dworshak, Republican, Idaho; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington, and Senator Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief clerk.

Principal participants present: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; John G. Adams, counselor to the Army; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; Charles A. Haskins, assistant counselor, Department of the Army.

Senator MUNDT. The committee will please come to order.

To our guests here this afternoon who were not here this morning, the Chair would like to remind you that you are here as the welcome guests of this committee, and you entered the room with the understanding that you will comply with the committee rule, which is that all members of the audience shall refrain from any manifestation of approval or disapproval in any audible manner at any time. The officers in charge of the committee room have standing orders to politely escort from the room immediately anyone who violates the terms by which you became a guest of the committee. I am sure that the audience, with that admonition, will continue to comply with the committee regulations as you have done magnificently now throughout these long proceedings.

The Chair announced at the conclusion of the morning session that Senator Potter, at his own request, was to be the next witness. He

has been sworn, and the Chair will listen to him. The Chair would like to suggest that if we are not interrupted before 3:30 by a quorum call or roll call, if some member of the committee or counsel will remind me at that time, we will stand up for a seventh-inning stretch and take a 5-minute recess.

Senator Dirksen?

(Discussion out of the hearing of the reporter.)

Senator MUNDT. Senator Potter, you have been sworn, and you may proceed with your direct testimony, and then subject yourself to cross-examination.

**TESTIMONY OF HON. CHARLES E. POTTER, A UNITED STATES
SENATOR FROM THE STATE OF MICHIGAN**

Senator POTTER. Mr. Chairman, at the morning session Senator Dirksen and Senator Mundt related to the committee their conversations with Mr. Adams concerning the question of whether members of the Army's loyalty board should be subpoenaed. I asked the chairman to be put under oath to relate to the committee my knowledge of that incident.

I was not contacted by Mr. Adams. Rather, I was contacted by Mr. Louis Berry, Deputy Counsel for the Army. Mr. Berry happens to be a close personal friend of mine, an outstanding attorney, and a man who, I believe, assumed his duties as Deputy Counsel in January of this year.

Mr. Berry contacted me, I believe, the evening of January 22. At least it was the same day, I believe, that Mr. Adams contacted Senator Dirksen.

I cannot recall whether it was in my home or his home, but I do recall it was a social evening rather than a formal appointment that Mr. Berry had with me.

He informed me that he had been instructed by the counsel, Mr. Adams, to contact me relating to the possibility of having the committee postpone the subpoenaing of the members of the Army loyalty board. I well recall telling Mr. Berry that, from my experience on various investigating committees of the Congress, I felt that the challenge—that the authority of the Congress to issue subpoenas and to call witnesses is quite absolute, that I believed that the Army would have to produce the bodies.

In other words, the people under subpoena would have to be presented to the committee. But if questions were asked that were in violation of an Executive order, then I felt that witnesses had a right to refuse to answer.

I related that information to Mr. Berry.

The following day, I believe, we had our meeting in Senator McCarthy's office, the meeting with Senator Dirksen, Senator Mundt, and myself, and Senator McCarthy, where this whole question was discussed.

I might relate that, prior to the meeting in Senator McCarthy's office, Mr. Berry also discussed with me that there had been a considerable effort, or so he had been informed, on the part of Mr. Cohn to secure preferential treatment for Mr. Schine. I am confident from the information that Mr. Berry gave that he wasn't too familiar with

the facts, and he related those facts to me as general knowledge rather than effort to pressure me in any way.

I would also like to state that Mr. Berry, while a close and good personal friend of mine, has never used our friendship in any way to intercede on behalf of the Army or anyone else. The following day, at the meeting in Senator McCarthy's office, I recall we discussed the question of the charges that were brought up in my conversations with Mr. Berry and the conversations the other Senators had with Mr. Adams, concerning Mr. Cohn and Mr. Schine. I remember at that meeting, I am sure that the other Senators present will agree—will attest to this, that I stated if the charges were true, Mr. Cohn should no longer serve the committee.

I also stated that if the charges were not true, a grave injustice had been done and those responsible for the charges should also be removed from their Government service. That, in essence, relates that incident.

Mr. Chairman, I would also like to testify on another aspect of this controversy, a document which has been referred to several times during the course of the hearing, known as a "Potter letter." I hope sometime that that will be placed in its proper perspective. I think it well to state, as I have stated many times in the past, that this letter was written to the Secretary of Defense when it came to my attention many, many times from various sources, that the Army had documentary statements concerning the efforts on the behalf of members of our staff to secure preferential treatment for Mr. Schine. I had understood that this document was due to be submitted to other Members of the Congress. The other Members of the Congress that I had knowledge of that were to receive this report happened to be Members on the other side of the aisle, or Members of the minority. I felt as a Member of the majority, a member of this committee, who had to assume responsibility for its conduct, that it would be not only desirable but necessary that the Republican members of the committee, have the report at least as soon as the Democrat members. That was the reason for my letter to the Secretary of Defense.

Mr. Chairman, I believe I have given all the pertinent facts that I have personal knowledge of concerning my own participation in this controversy. However, there may be some questions that other members of the committee or counsel will wish to ask me and I will be happy to receive their questions.

Senator MUNDT. Mr. Jenkins?

Mr. JENKINS. Counsel has no questions to ask Senator Potter.

Senator MUNDT. The Chair has none. Senator McClellan?

Senator McCLELLAN. No questions.

Senator MUNDT. Senator Dirksen?

Senator DIRKSEN. No questions.

Senator MUNDT. Senator Jackson?

Senator JACKSON. No questions.

Senator MUNDT. Senator Dworshak?

Senator DWORSHAK. No questions.

Senator MUNDT. Mr. Welch?

Mr. WELCH. No questions.

Senator MUNDT. Senator McCarthy?

Senator MCCARTHY. One question. I think in fairness to Senator Potter there should be made clear now the testimony over the past 2 weeks which has sometimes indicated that the report was written

because of the letter from Senator Potter. It is now clear—see if I am correct in this, Senator—that your letter did not set off the writing of this report. You only asked for the report after you knew from a sizable number of sources that certain newsmen had it, that certain Members of the Senate and House may have had it, and the only reason you asked for the report was not to have the report written, but to get a report which was already being distributed. Is that right?

Senator POTTER. I asked for the report so that the majority of our committee could see it before other Members of the Congress and possibly members of the press.

Senator McCARTHY. I ask this question just so the situation can be cleared up insofar as you are concerned. When you asked for the report, you had reason to believe that certain newsmen had already been given the report, and you were merely asking for what was already in existence?

Senator POTTER. As the Senators know, it was more or less common knowledge for about a month before I wrote my letter that such a report existed, and when we found that the report was going to be made public, that it was going out to Members of Congress, I felt that we had the duty to secure it.

Senator McCARTHY. May I say, Senator Potter, one of the reasons I have asked this is because my office has been kept busy answering letters about why Potter set this report writing off, and I have been keeping half my staff busy explaining that you did not do it, and I hope that this may settle it so it will at least relieve my staff of part of their work.

Senator POTTER. I felt that these were serious charges that were made, and if we could get the report and find out what the real charges were, then the committee could act to see whether the charges were so or not, and we would have done away with all of this hassle that we are now confronted with in this hearing.

Senator McCARTHY. Just one further question, Senator, the last one: You were present at the meeting in my office, I believe, on the 22d or 23d, I don't recall which date.

Senator POTTER. Yes.

Senator McCARTHY. I think we all agreed that if the charges were true, then of course my staff was guilty of misconduct.

Senator POTTER. I understand the Senator said that.

Senator McCARTHY. I think we all agreed to that. At that time, let me ask, did I give the Senators a rundown, a résumé, of the tremendous pressure that had been exerted upon me to try to get me to call off the hearings, the threats that Mr. Adams and Mr. Stevens would issue reports, charges against Mr. Cohn—at that time they hadn't mentioned Mr. Carr yet—that is an afterthought, apparently—at that time, as I recall, see if this is correct, I told the Senators as far as I was concerned we couldn't be threatened and blackmailed out of this investigation because if we were, then we could be blackmailed out of any investigation, and I think the Senators all agreed with me pretty much on that statement.

Senator POTTER. I well recall that the Senator stated that, and I think it was the first time I heard the term "hostage" used. I believe you stated at that time that you felt that the Army was using Private Schine as a hostage in order to call off the investigation.

Senator McCARTHY. May I say this, to keep the record clear, Senator Potter. I think they were using Private Schine—I think I made it clear at that time—to needle and heckle Roy Cohn. The word “hostage” was not my word. That is Mr. Adams’ word. I think I pointed out that the pressure on me had nothing to do with Dave Schine. The pressure on me was if I did not take steps to call off the hearings, they would issue a report charging Mr. Cohn with improper conduct, a report which would embarrass the committee. In other words, I think it should be made clear at this time that the pressure on Mr. Cohn was the constant needling of him about his friend, Schine, whom he got to come with the committee and work for about a year for nothing, and the pressure on me—I used the word “blackmail” advisedly—was in connection with the threat that they would issue the report if we continued with the hearing.

Senator MUNDT. Has the Senator concluded his questioning?

Senator McCARTHY. Yes, Mr. Chairman.

Senator MUNDT. Senator Potter, you are unsworn.

I think the Chair had agreed to recognize Senator Symington to discuss his point of order at the conclusion of Senator Potter’s testimony, so he recognizes Senator Symington for that purpose now.

TESTIMONY OF JOHN G. ADAMS, COUNSELOR TO THE ARMY— Resumed

Senator SYMINGTON. I thank the Chair.

Mr. Adams, have you the written directive that you said you would get for us with respect to why you cannot—

Mr. ADAMS. No, sir; I have not. I did not succeed in getting it during the noon hour.

Senator SYMINGTON. When do you think you will have it?

Mr. ADAMS. I wasn’t present during the discussions in the noon hour on the subject. I think Mr. Welch can tell you more about it than I can, sir.

Senator SYMINGTON. Mr. Chairman, is it proper for Mr. Welch to tell us about it?

Senator MUNDT. I presume so. If nobody objects it is proper.

Mr. WELCH. My opening and principal comment is that the noon hour just isn’t long enough to deal with this kind of a thing, particularly on the short basis that exists. I cannot say more or less than this, and that is that the situation that existed this morning still continues. That is as of 2:30 this afternoon, Senator.

Senator SYMINGTON. Mr. Welch, I would like to ask you by what law or Executive decree do you believe that you are justified in not giving this information to the committee?

Mr. WELCH. I am only relaying instructions as to what the witness may testify to, and I would like to make it clear to you, Senator, what we have under discussion. We have under discussion what you might call intramural conferences of the executive department on the highest level, and as of this moment this witness is instructed that he should not develop those conferences beyond the point to which he has already developed them in this room.

Senator SYMINGTON. With all deference to you sir, these names were brought in voluntarily by the witness. As I remember it, some-

body asked him if he was second in command, and he said, I believe, that he was 32d. I don't know at what point it gets to be high level or middle level or low level. I would like to ask you, at the meeting that you had today was there any discussion of an Executive order or decree that would justify the position that you have allowed your counsel to take—your client to take. Excuse me.

Mr. WELCH. There was not any serious discussion, but the answer to your question as to an Executive order, the answer is in the negative.

Senator SYMINGTON. Now, carrying your thinking to its logical conclusion, does it mean that the chairman of this committee could refuse to discuss parts of conversations that he had had with members of his staff which were unfavorable and just give this committee parts of conversations which might be good for his cause?

Mr. WELCH. Could I have that read, please?

Senator MUNDT. The reporter will read it again.

Senator SYMINGTON. I will read it again and shorten it. Carrying it to its logical conclusion, your thinking, does it mean that a chairman of a committee could refuse to discuss parts of conversations that he had had with members of his staff which were unfavorable to him, the chairman, and just give excerpts which might be good for his cause?

Mr. WELCH. Well, if I have to answer that, that would seem to be very unfair, sir. Senator, could I say this to you: I am at the moment a bearer of messages. I am not a formulator of policies or executive rulings or orders or directives. As of this moment, a discussion between you and me, I think, will not be productive. I have said once before in this room that I am used to being a trial lawyer and developing facts there in a courtroom, but this area, if you don't mind my saying it, Senator, seems to me a little beyond my depth.

Senator SYMINGTON. If it is beyond your depth, figure how far it is beyond my depth. But I must say regardless of whether we have had trial law experience or not, I think what we are all interested in here is to get the truth with respect to these conversations.

Now, Mr. Chairman, unless there is some Presidential directive or law that allows the witness to refuse to give the chairman and the committee the details of a conversation among people which he voluntarily put into the record, I would respectfully request the chairman to instruct him to give those details.

Mr. WELCH. Mr. Chairman, could I say one more word to the Senator?

In respect to what you said a moment ago by my relation to you, it is not possible, sir, that you could be as much of an amateur as I am. I am the world's leading amateur, I should say, in this field. As to the second point of ordering the witness to answer, we are toward the end, of an adjournment, with a weekend coming up, and I should say that with more time before us, the position with respect to this witness should be susceptible of clarification at the hands of people wiser than Welch is. So, Senator, if you would not mind passing the thing for the moment, we have a weekend coming up, and on Monday morning it would seem entirely proper for you to press that. I would appreciate the courtesy if you didn't press it now, but I have only the right to say "please."

Senator SYMINGTON. Mr. Chairman, I am beginning to fall for Welch, too.

Senator MUNDT. Very well. We will pass that until Monday morning, then, on agreement between Mr. Welch and Senator Symington.

Senator McCLELLAN. Mr. Chairman?

Senator MUNDT. Senator McClellan.

Senator McCLELLAN. Before you pass it, I want to make a brief observation. I shall not be able to remain throughout the afternoon, during all of the session. The matter obviously will have to go over until Monday. I am not very much impressed—this is not directed at Mr. Welch, he is not responsible for instructions that may have been given from some other source. I can appreciate the delicacies of this position at this time. But, Mr. Chairman, I want my position known. Unless there is some reason that I cannot now conceive that will be advanced why others should be excused from testifying in this hearing, or if any matter relevant to developing the whole facts and truth is being withheld by someone else, or this witness is being instructed to withhold that information from this committee, I shall insist, Mr. Chairman, that those witnesses be subpoenaed and brought here to tell what they know about it.

I say that because, as I have repeated often, to me these charges are serious, and if there was someone higher than Mr. Adams and Mr. Stevens that was directing their actions, and if their actions are found to be wrong, this committee has a right to know, even from the high level, what transpired to cause, if the allegations are true, staff members of this committee and the chairman to be smeared. If that is true, we have a right to know who inspired it and who advised and counseled that it be done. On the other hand, Mr. Chairman, if the charges are true, that this Army was being pressured, and threatened, and intimidated and coerced into taking the action or the attempted action, to secure the attempted action, of a favorable assignment for the party involved, and was being threatened with hearings to put the Army in a bad light, drive the Secretary out of office, to wreck the Army, in the nature of a war against the Army, then we are entitled to know that. Insofar as I am concerned, unless something can be shown me, some law—and I do not know that an executive order will suffice in my case—I will not ask the President of the United States to come, no—but as to others who participated in it, Mr. Chairman, I think they are appropriate witnesses if their testimony is relevant to any issue that is now before this committee.

Senator SYMINGTON. Mr. Chairman?

Senator MUNDT. Senator Symington?

Senator SYMINGTON. Mr. Chairman, is it my understanding from Mr. Welch or Mr. Adams that we will not pursue this subject this afternoon, which, incidentally is perhaps the most important conference of all because it is where much, if not most of all this business started. It is my understanding that we will not pursue this matter this afternoon with the definite understanding that the position of whoever gave the orders to Mr. Adams will be furnished in writing to the committee on Monday morning?

Mr. WELCH. I think it is fair to say that. There just wasn't time at lunch to do the thing.

Senator SYMINGTON. I just wanted to make the record straight on that. Thank you, Mr. Chairman.

Senator MUNDT. Very well. May the Chair suggest now that we proceed. We are proceeding a little bit out of order. The Chair

is trying to solicit some of his colleagues' support, to rule out of order all of these statements which tend to slow down the hearings and consume time. But the Chair recognizes that in the United States Senate a chairman is the presiding officer and does not have the authority of a judge. Have you something to say on the point of order?

MR. WELCH. I think so. I don't want Senator Symington to overestimate my authority or power. It seems to be normal to expect a written communication. If someone were to say, "No, an oral one will be it," I can't control it. But my own view is that of an individual trial lawyer, that it is not unreasonable to hope for.

Senator SYMINGTON. Mr. Chairman, with all great deference to Mr. Welch and to the chairman, we have not prolonged this hearing in the discussion. If they passed over the order which they said they would get this afternoon, then we wouldn't have had any discussion.

Senator MUNDT. Proceed in order.

MR. WELCH. I think the clock had gotten around to you to interrogate Mr. Adams, if you have questions to ask at this time, or Mr. St. Clair.

MR. WELCH. I think nothing at this time.

Senator MUNDT. Senator McCarthy or Mr. Cohn. You have 10 minutes.

Senator MCCARTHY. Just a few questions.

MR. ADAMS. I have been listening to your testimony, and I have an express interest in the threats that Mr. Cohn made to you. Do I understand the threats consisted of threats to try and continue the investigation of Communists?

MR. ADAMS. No; I don't think he ever made a threat that he would try and continue the investigation of Communists, Senator McCarthy. I don't think he ever said that.

Senator MCCARTHY. Well, were any of the threats fulfilled?

MR. ADAMS. Well, as I have testified, it seemed to me that the culmination of the threats was——

Senator MCCARTHY. Would you speak a little louder, sir?

MR. ADAMS. I said it seemed to me that the culmination of the threats was the Loyalty Board ultimatum——

Senator MUNDT. Mr. Adams, if you would draw the black microphone closer, we wouldn't have difficulty hearing you.

MR. ADAMS. It seemed to me, Senator McCarthy, that the culmination of the threats was the Loyalty Board ultimatum.

Senator MCCARTHY. Mr. Adams, before the investigation of Communist infiltration in the Army, as you know, we conducted an investigation of Communist infiltration in the Government Printing Office. During that investigation I stated any number of times, as I did during the investigation—I wonder if the photographer would move to one side just a little bit—during the investigation of Communist infiltration in the Government Printing Office, I stated any number of times, as I did when you were there during the investigation of Communist infiltration in the Army, that while it was important to find the individual Communists, in other words, to take them up by the scruff of their neck and get them out of secret positions, it was infinitely more important to find out who allowed them to continue on in secret work.

Now let me ask you this: Were you not present any number of times when I made the statement that we would ultimately have to call the Loyalty Board, that is, the old Loyalty Screening Board, and find out who was responsible for ordering returned to secret radar work men with long Communist records?

Mr. ADAMS. Yes, I heard you make those statements.

Senator McCARTHY. That was long before any argument that you and Mr. Cohn had, wasn't it?

Mr. ADAMS. Yes, sir, and usually I had conversations with Mr. Cohn or Mr. Carr subsequent to those remarks of yours, and usually they would indicate to me that they were sure the matter would not become an issue.

Senator McCARTHY. When you say the culmination of Mr. Cohn's threat was the demand to call the loyalty board——

Mr. ADAMS. It seems so.

Senator McCARTHY. Let me finish. These are all matters of record. It now seems that I made the statement long before any arguments between you and Mr. Cohn that I said we would have to call the Loyalty Board.

Mr. ADAMS. You made such statement; yes.

Senator McCARTHY. That statement was not the result of an argument between you and Roy Cohn?

Mr. ADAMS. You mean that ultimatum on the loyalty boards?

Senator McCARTHY. Yes.

Mr. ADAMS. In January? Or your original statement?

Senator McCARTHY. The sequence of statements.

Mr. ADAMS. Your sequence of statements were not related, no, sir, to any difficulties I had with Mr. Cohn.

Senator McCARTHY. The sequence of statements were to the effect that sooner or later we would have to have the Loyalty Board before us?

Mr. ADAMS. Those remarks were made; yes.

Senator McCARTHY. Right. Do you feel there is anything improper with suspending the 35 security risks?

Mr. ADAMS. No; I do not.

Senator McCARTHY. Most of the 35 were suspended because of Communist connections and Communist backgrounds?

Mr. ADAMS. That is substantially correct. I think 21 of them ultimately remained in suspension. Others were put back, and the reasons for their suspensions had to do with associations——

Senator McCARTHY. With Communist organizations and Communist fronts.

Is it also correct that many of them had been working in the secret radar laboratories for a very sizable period of time?

Mr. ADAMS. I can't recite to you the lengths of time that they worked there, but most of them worked in the laboratories at Fort Monmouth.

Senator McCARTHY. And some of them for 3, 4, 5, 8, 10, or 12 years?

Mr. ADAMS. Yes, sir.

Senator McCARTHY. If it was proper to suspend them after our hearings started, if they should have been suspended, then can we safely say that somebody was derelict in his duty in not having suspended them before the hearings started?

Mr. ADAMS. I don't think so, Senator. I testified as to one of the reasons. The principal reason that these things were brought up again was the fact that the President's Executive order which had been published in the last week in April required a reexamination of all cases of this sort, and those reexaminations all over the country were going on. I have stated, I have admitted in testimony before this committee, that I felt that one of the results of the investigation which you conducted was the fact that the Army moved more quickly directed toward suspensions at that particular installation than would otherwise have been the case.

Senator McCARTHY. Do I understand, then, that the President's new order made it possible to get rid of people who should have been gotten rid of years before?

Mr. ADAMS. The President's new order did one thing, and that was it required one principal thing which was a substantial difference from the previous order, and that was that it required that in cases where there was doubt the case was then to be resolved in favor of the Government instead of in favor of the individual and that this required a reexamination of the cases of a great number of people whose cases might have been favorably resolved under the old directive.

This reexamination of many, many cases resulted in the suspension of new individuals who had not under the old orders been suspended or who, having been suspended, were reinstated.

Senator McCARTHY. For the time being let's forget about any particular order. We are talking now about 35 people—I believe it is cut down to 21 now; is that right?

Mr. ADAMS. Yes, sir.

Senator McCARTHY. Twenty-one individuals who have been suspended because of Communist connections. Forgetting about any order, if the suspensions are now justified—in other words, if they should not be working at the secret radar laboratories as of this 13th day of May 1954, then they certainly should not have been working there a year ago or 2 years ago or 3 years ago or 5 years ago; is that correct?

Mr. ADAMS. I think that the President's Executive order was a proper one, and I think that the new procedures are proper. I think it required the suspension of some people who had not previously been suspended.

Senator McCARTHY. In other words, you feel that people who are dangerous to the security of this Nation have been gotten rid of because of the President's new order?

Mr. ADAMS. I think that is quite true, sir.

Senator McCARTHY. Then you—

Mr. ADAMS. Whether or not they are dangerous, people who are suspect and who might previously have had doubts resolved in their favor, are now having doubt resolved in favor of the Government. That is the principal effect of the new order, and it is a good effect.

Senator McCARTHY. Could we narrow it down now to a very simple proposition: The only reason we are getting rid of what you call security risks, or subversives, is because there is reason to believe that he might give our military secrets to someone who in turn give them to a potential enemy.

Mr. ADAMS. That is the end objective. You are correct, sir.

Senator McCARTHY. Right. So as of the day we started the hearings there were at least 21 people who were in that category; is that correct?

Mr. ADAMS. There were 21, and I think 7 of those 21 already had been suspended. There were another 14 who were suspended.

Senator McCARTHY. Let's keep the dates straight, Mr. Adams. Actually there were no suspensions until we started the investigation, were there? I am not speaking about the hearings.

Mr. ADAMS. Senator, I have no knowledge of the date of your investigation preceding October 1. It may have preceded that date, but not to my knowledge. There were 6 or 7 suspensions in September, 1 in August and 6 in September.

Senator McCARTHY. For your benefit I can tell you that the investigation started long before that. I am sure that you having come in late would not be in a position to know it.

Mr. ADAMS. That is correct.

Senator McCARTHY. Let's go on to a different question. Can you tell us what witness was called who should not have been called? In other words, if Mr. Cohn, my chief counsel, did something that was improper, if he subpoenaed witnesses who should not have been subpoenaed, I would like to know the name of one. We called, I believe, some 500—I can't recall the exact figure, over 500 witnesses in 1953. Out of that 500 if there is one that was called by Mr. Cohn out of a spirit of vengeance, or as a result of a threat, I would like to know about that one witness out of over 500.

Mr. ADAMS. Well, I can't testify that anybody who was called should not have been called, sir. When you are having an investigation of the sort that your committee ordinarily undertakes, in order to develop the pattern you have to call lots of witnesses, many of whom may give you no information at all.

Senator McCARTHY. That is correct.

Senator MUNDT. The Senator's time has expired.

Mr. Jenkins?

Mr. JENKINS. I pass, Mr. Chairman.

Senator MUNDT. Mr. Adams, at the end of my 10-minute period I was interrogating you about specific charges that the Army, or you, or Mr. Stevens, speaking for the Army, would like to have our committee consider as being directed specifically against Frank Carr. If I am correct, we were working up toward the date of January 20, which you said was the breaking point in the attitude of Mr. Carr. You were testifying as to dates and incidents prior to January 20. If I am correct, you said that as far as riding in the passenger automobile was concerned, you felt that he had done nothing which would justify your leveling a charge against him on that occasion. Is that correct?

Mr. ADAMS. Yes, sir.

Senator MUNDT. I think you said the same thing was true concerning the luncheon of November 6; is that correct?

Mr. ADAMS. That is not quite correct, sir.

Senator MUNDT. Will you straighten me out?

Mr. ADAMS. I considered that Mr. Carr was participant in the luncheon of November 6 just as he was in the luncheon of December 10 and that it was a form of acquiescence. I did state to you, just as I stated to Senator McClellan in response to an inquiry when I was

in his office in January, that as of the date of January 20 or thereabouts I had not felt that any actions by Mr. Carr had so far been in the category that I could call improper. They weren't burdensome to me.

Senator MUNDT. What was the day of your conference with Senator McClellan?

Mr. ADAMS. About January 19 or 20.

Senator MUNDT. Is it correct that the present chairman, the acting chairman, was not present at that conference, so I have no way of knowing about these private conversations you had with Senator McClellan?

Mr. ADAMS. That is right.

Senator MUNDT. So I will have to try to find out from you concerning the situation that confronts us.

Mr. ADAMS. That is right.

Senator MUNDT. So, if I am correct, then, your private conference with Senator McClellan was on January 20?

Mr. ADAMS. 19 or 20.

Senator MUNDT. 19?

Mr. ADAMS. Yes, sir; one of those days.

Senator MUNDT. 19 or 20. That was 2 days before your conference with me and 2 days before your conference with Senator Dirksen, is that right?

Mr. ADAMS. Yes, sir.

Senator MUNDT. Did I misunderstand you? If I did not, we can jump from that date as far as Mr. Carr is concerned, and come closer to the present. Did you say that you had told Senator McClellan in that conference that up to that time Frank Carr had done nothing which you felt would justify the Army in making a complaint against him?

Mr. ADAMS. No, sir. He specifically asked me whether I thought McClellan's action—

Senator MUNDT. Not McClellan's.

Mr. ADAMS. I am sorry. That Carr's actions had not been proper. They had not then been burdensome to me, although I had received many forms of persuasion from him. I stated to him—I didn't state to him, but I stated earlier to you during the day, that I felt up to that time that Mr. Carr was more or less an agent of another principal. And I had a feeling then that although he had spoken to me on some occasions, had made long distance call to me in South Dakota, a long distance call to me in Massachusetts, we had ridden back on the train and talked at some length, he had been a coparticipant at the luncheon on December 10, that those things in themselves at that time did not seem to me to be particularly burdensome.

Senator MUNDT. Mr. Adams, perhaps we can shorten this up. You told all of that to us this morning. Let me say this: As far as the Chair is concerned, he has sort of an old-fashioned feeling about elemental justice, which may or may not be correct in your opinion or in the opinion of others, but that old-fashioned elemental opinion of justice is that any American who is charged with doing something wrong, has a right to have that charge made against him specifically.

The Chair has been a member of the investigating committees of Congress now for well over 15 years. I know that investigating committees are frequently accused of making charges which are not supported, of attacking innocent people. But I must say that I have never

been a member or have known of any investigating committee that ever to my knowledge has even accused any Americans, simply, and said, "You are a crook," and refused to tell him what crooked thing he did. I do not think the Army should take the position of saying Mr. Carr is a crook or was doing improper things certainly without giving us something specifically that he did. I propose to continue through these 10 minute periods with you until either you say, "This is what he did that was wrong," or say, that, "Nothing that he did was wrong." I do not think it is fair for any American to be charged with being a crook until you specify—did he steal a bank, did he write a false check, or what did he do? What did Mr. Carr do prior to January 20, let us limit it to that period, that, to you, speaking from your point of view, resembles intimidation or a threat or improper means to secure preferential treatment for Dave Schine?

Mr. ADAMS. Senator Mundt, both this morning and this afternoon I have tried to complete a statement to you which would develop at least insofar as I could develop it, the fact, that subsequent to January 20—

Senator MUNDT. Prior to January 20.

Mr. ADAMS. Just a moment, sir.

Senator MUNDT. Was there anything prior to January 20.

Mr. ADAMS. Would you please let me finish?

Senator MUNDT. Yes, but I would like to know if there was anything prior to January 20.

Mr. ADAMS. I am trying to tell you. One cannot answer questions unless he is permitted to. I am trying to answer and I will try to do it in about three seconds. It was subsequent to January 20 that it appeared to me in looking back that these matters were part of a pattern. On January 20 and prior to January 20, they did not seem to me to be as bad. But, subsequent to January 20, in February, and in March, then it appeared to me that there were part of a pattern. On January 20, they did not concern me. On December 10, when I had lunch with Senator McCarthy and Mr. Carr and Mr. Stevens, that didn't bother me. On November 25, when I came back on the train from Massachusetts, it didn't bother me, from Newark, N. J. It was later that it appeared to me, on reflection, that it was a pattern. That is the thing I was trying to tell you, sir, this morning, and that is the thing I am trying to tell you now.

Senator MUNDT. Have you concluded your response?

Mr. ADAMS. Yes, sir.

Senator MUNDT. Let me rephrase the question, then:

Did Mr. Carr do anything or say anything prior to January 20 which at the time he did it or said it seemed in your opinion to be improper or a threat or intimidation?

Mr. ADAMS. It didn't seem to me at the time.

Senator MUNDT. Thank you.

Now we will move from January 20 down toward the present date, and will you tell me the first date and the first occurrence that you felt constituted improper action on the part of Mr. Carr?

Mr. ADAMS. Well, I was curious during February at his urging that I should contact George Sokolsky, which he did through the latter part of the month of January and the first few days in February. I did contact George Sokolsky, at his persuasion, and subsequently

urged me again that I talk to Sokolsky. That seemed to me to be strange. Those matters in themselves still wouldn't have been as bad.

Senator MUNDT. Before we leave Sokolsky, you finish what you have to say about Sokolsky and I will ask you questions about him.

Mr. ADAMS. All right.

Senator MUNDT. Are you through about Sokolsky?

Mr. ADAMS. Yes, sir.

Senator MUNDT. Did you think it was improper for Mr. Carr to suggest that you talk to George Sokolsky?

Mr. ADAMS. No, I thought it was odd. It was strange. It was unusual. I was not used to that sort of thing.

Senator MUNDT. The charge, however, was not that Mr. Carr was using unusual or odd means. It says he sought by improper means to obtain preferential treatment. So I ask you specifically whether asking you to talk to George Sokolsky was considered by you to be improper and whether you asked us to discipline Frank Carr for suggesting that you talk to George Sokolsky.

Mr. ADAMS. What charges do you refer to, sir?

Senator MUNDT. The charge issued by the Army on April 13, signed by Joseph N. Welch, special counsel, as your specifications for these hearings. That is on the fourth line.

Mr. ADAMS. The first page on the fourth line?

Senator MUNDT. That is correct.

Mr. ADAMS. Well, this—on the fourth line? Yes, sir, that does not specify a date.

Senator MUNDT. Does not specify what? The date? Of course not. I am asking you to specify the date.

Mr. ADAMS. I considered that it was—by the time that it was all done, as I have stated to you, sir, and this may not be a satisfactory answer, on reflection it seemed to me as though it was a pattern of improper action, at the end.

Senator MUNDT. Let me rephrase the question, then, because sooner or later we will catch up with the date. At the time that Mr. Carr asked you to telephone George Sokolsky, did you interpret that as being an improper thing for him to do?

Mr. ADAMS. Well, I think more odd than improper, sir.

Senator MUNDT. My time has expired.

By unanimous consent, the Chair would ask permission to call on Senator Potter out of order, because he has to catch a plane.

Senator McCLELLAN. If the Chair will let me make one observation, I will be glad to yield. I have to catch a plane also. I may say, Mr. Chairman, before I depart, that some of my questions, at least, will have to do with testimony that this witness presently is under inhibition not to disclose, and since his testimony, I assume, cannot be concluded this afternoon, but he will be called back Monday, then I shall defer any further questioning on my part until that date.

Senator MUNDT. Thank you.

Does the Chair have unanimous consent, then, to call on Senator Potter?

Senator Potter.

Senator POTTER. Mr. Adams, in my previous 10-minute interrogation, I questioned you as to whether or not Private Schine received preferential treatment. I believe you testified that he received preferential treatment as a result of requests made for committee duty.

Mr. ADAMS. Yes, sir.

Senator POTTER. Which in no way was to interfere with his training duties at Fort Dix?

Mr. ADAMS. Yes, sir.

Senator POTTER. Did the treatment accorded Private Schine interfere with his training at Fort Dix?

Mr. ADAMS. Sir, it is my understanding that it did. I am not really competent to answer that question, because the officials at Fort Dix know it in detail, and I have not read the reports of Fort Dix, so I cannot answer in detail. I know only that General Ryan, the commander at Fort Dix, did call me on the 8th of December and did indicate that he was afraid that the weekday availability of the soldier was going to interfere with his training.

Senator POTTER. Can you testify as to whether he did or did not receive preferential treatment which interfered with his training?

Mr. ADAMS. I can't testify from my own knowledge, sir. I believe that those questions can be better answered by General Ryan or his aide, because I have not made a detailed study of what happened at Fort Dix.

Senator POTTER. I would like to refer again to the stipulations made by Senator McCarthy, Mr. Cohn, and Mr. Carr. Stipulation No. 10 states this:

"News stories quoting reliable sources have stated that the reason he—referring to Private Schine—

was not given consideration to which he would otherwise have been entitled was because of his connection with this committee.

The question I wish to ask you, Mr. Adams, is: Was Private Schine discriminated against because of his former association with this committee?

Mr. ADAMS. I have no knowledge of it, sir. I do not believe that he was. I have never heard that he was, from any source at all.

I have never heard anything to indicate that, sir.

Senator POTTER. From your knowledge of the Army, if Private Schine had not gone in with all the fanfare, would he have received any higher rating, would he have received a commission, would he have received a more desirable duty?

Mr. ADAMS. I think the answer to that, sir, is in the negative. I think if Private Schine had been Private Smith, his application for a commission would have been rejected, I think he would have been drafted, I think that living in New York he would have spent his first 8 weeks of basic training at Camp Dix, I think that with his background he probably would have been considered qualified for the same sort of additional training and that he probably would have gone to Camp Gordon. So I would say that I don't think anything happened to him—

Senator POTTER. It is my understanding that Private Schine has a college education, is that true?

Mr. ADAMS. Yes, sir.

Senator POTTER. I assume that Private Schine received the aptitude tests or intelligence tests—

Mr. ADAMS. Yes.

Senator POTTER. That every other soldier receives.

Mr. ADAMS. Yes, sir.

Senator POTTER. Is my assumption right that he is certainly above average in intelligence?

Mr. ADAMS. I don't know, sir. I don't know anything about his I. Q. or anything of that sort.

I would say, sir, with reference to whether or not he should have had a commission, that the Army was commissioning people only in certain special branches, such as Medical Corps, Dental Corps, Judge Advocate General Corps, people who had to have a special educational background. I don't think that direct commissions generally are available to men by reason of having the degree of bachelor of arts.

Senator POTTER. The reason I am asking this series of questions is the fact that we want to make sure whether Private Schine was discriminated against or not.

Mr. ADAMS. So far as I know, sir, he was not.

Senator POTTER. All right, let's revert, then, to stipulation No. 15. It is broken down into several parts, and I would like to read subsection (a):

After Mr. Adams and Mr. Stevens claimed that they were threatened and induced by the Chairman and Mr. Cohn, they extended hospitality to and accepted hospitality from the Chairman and Mr. Cohn.

Is this true?

Mr. ADAMS. That is true.

Senator POTTER. If that is true, then why?

Mr. ADAMS. The simple answer is the one I gave you yesterday, sir: No head of an executive agency is anxious to remain in a state of hostility with a committee chairman or with the staff of a committee with which he must work. It is the normal thing to attempt to conciliate after there is difficulty. That is what occurred in this instance.

Senator POTTER. The purpose of accepting the hospitality of the chairman and Mr. Cohn following the claimed, the alleged threats, was in order to better your relationships with the committee; is that correct?

Mr. ADAMS. To keep our relationship, which generally was good.

Senator POTTER. Despite the threats?

Mr. ADAMS. We managed to conciliate Mr. Cohn. I think this refers to the incident of October 20, and I think we managed to reconcile the differences which developed on that day.

Senator POTTER. Point (b):

The day after Mr. Cohn is alleged to have made threatening and fighting statements to Mr. Adams, Mr. Adams dined with Mr. Cohn and his family in Mr. Cohn's home.

Is that true?

Mr. ADAMS. That is correct, sir.

Senator POTTER. Was that done for the same purpose?

Mr. ADAMS. No. If I may give you about a three-sentence description of the incident, Mr. Cohn was in Washington that afternoon, and I went to New York on the same airplane with Mr. Cohn and Mr. Carr. We were going to arrive about dinnertime in the evening, and I had suggested that we go to a prizefight that night. Mr. Cohn indicated that the tickets would be at his house. So when we were in New York, I think as we were in a cab, and Mr. Cohn said, "We will have dinner at my house", I had an obvious choice—"No, I will eat at a drugstore and you can pick me up," or I could go to his house.

Senator POTTER. That was the night you attended the prizefight with Mr. Cohn?

Mr. ADAMS. Yes, sir. His family were very gracious to me—his mother and his father—as was Mr. Cohn.

Senator POTTER. (reading):

After Mr. Cohn is alleged to have set about wrecking the Army and causing the dismissal of Mr. Adams' boss, Mr. Adams continued to invite Mr. Cohn to lunch and to discuss a law partnership with him.

I believe you testified yesterday that your discussion of the law partnership was done in jest, that you weren't serious about it. But the series of meetings, of social meetings between yourself and Mr. Cohn during the period of time when the so-called threats were being made—were they because you just considered the threats were being set aside and you thoroughly enjoyed the social friendship of Mr. Cohn, or did you feel that by fraternizing to that extent you would be in a better position to heal the wounds, so-called, or to stop the threats?

Mr. ADAMS. This particular specification was about the last time we saw each other. We went to lunch together that day in the restaurant in the Senate Office Building, and I went back to his office that afternoon when that incident occurred. That was on about the 13th of January. I don't recall that I saw Mr. Cohn very much or very often after that. I saw him at a hearing in New York on February 18, and I think he had gone to Florida on January 20 or thereabouts, January 16—

Senator MUNDT. Mr. Adams, I have another request that you speak a little more loudly or pull the microphone closer to you.

Mr. ADAMS. If I pull it forward, it will fall off. It is just that I am not leaning close enough to it.

Senator MUNDT. Very well.

Senator POTTER. Mr. Adams, yesterday I asked you if it was your contention that if the Army had given Mr. Schine a commission or an assignment in New York, your problems or difficulties with the committee would have ceased, or I believe I asked you if you felt that the investigation of Fort Monmouth would have ceased. I believe you answered that you felt that the difficulties with the committee would have ceased if that had been done. Am I correct?

Mr. ADAMS. Yes, sir, I certainly was led to believe that by Mr. Carr. I certainly gained that impression. I don't think that I testified that the Fort Monmouth investigation would have terminated if Mr. Schine had been given a commission, because by the time I came to know Mr. Schine or came into the problem, Mr. Schine was in the Army or shortly going to go into the Army.

Senator POTTER. Now, let me just ask one more question. Assuming that Senator McCarthy's charges are true, if the Army had given Private Schine a commission or located him in New York, wouldn't it have been a fact that the Army then would have lost a bargaining power with the committee to call off the investigations at Fort Monmouth?

Mr. ADAMS. No, the Army never considered Private Schine as a piece of bargaining power. I never considered him as that. I never considered Private Schine in any way other than a soldier who should serve as a soldier.

Senator POTTER. You never considered Private Schine as a pawn to be used?

Mr. ADAMS. I did not, sir.

Senator MUNDT. The Senator's time has expired.

Senator POTTER. Mr. Chairman, I should like to state that I have to leave the hearings at this time and catch a plane.

Senator MUNDT. You may be excused.

Senator JACKSON?

Senator JACKSON. Mr. Adams, I would like to ask you now a series of questions which I trust will go to the heart of the difficulties between you and some of the principals to this controversy, and I think they are questions that are quite material. I am asking the same form of questions, not the same questions, but the same form of questions, of all the principals in an effort to get at the meat of the controversy, similar to questions that I put to Mr. Stevens.

Chapter 79, title XVIII, section 1621 of the United States Code deals with perjury. It states in effect that any person that testifies under oath and willfully and contrary to such oath, states or subscribes any material matter which he does not believe to be true is guilty of perjury and shall except as otherwise expressly provided by law, be fined not more than \$2,000 or imprisoned not more than 5 years.

There are a number of allegations and statements concerning you, Mr. Adams, that I believe are material to the controversy. None of these statements and allegations against you have as yet been made under oath. If those responsible for making them do repeat them under oath and you deny them under oath, before this subcommittee, then someone is guilty of perjury.

I know you realize that this is a most serious matter, and I hope that you will consider deeply as you answer these questions that I am about to put to you.

The first question: It was stated by Mr. Cohn on March 12, 1954, that you tried to blackmail him into calling off the subcommittee investigation of the Army. Is this allegation of Mr. Cohn true or false?

Mr. ADAMS. It is false.

Senator JACKSON. You were quoted in the New York Times of March 13 as labeling this charge of blackmail "fantastic and false." The fantastic and false is your quote. Do you maintain that position under oath?

Mr. ADAMS. I do, sir.

Senator JACKSON. The next question: It is stated by Mr. Frank Carr, in a memorandum to Senator McCarthy of December 9, 1953, that is December 9, 1953, for your reference—would you like to have that first—

Mr. ADAMS. I have it, sir.

Senator JACKSON. I quote, December 9, 1953, from Frank Carr, a memorandum to Senator McCarthy:

Even though they—
the Army—
said he—
Schine—

deserved a commission, they did not give it to him because of the left-wing press, and they keep trying to dangle proposed small favors in front of us.

Did you ever make a statement that Private Schine deserved a commission?

Mr. ADAMS. No, sir.

Senator JACKSON. Did you ever hear Secretary Stevens make that statement to any member of the McCarthy committee or McCarthy committee staff?

Mr. ADAMS. No, sir.

Senator JACKSON. Would you label that allegation as true or false?

Mr. ADAMS. I would label the allegation as false.

Senator JACKSON. Mr. Roy Cohn is quoted in U. S. News & World Report of March 19, 1954, as stating, and I quote:

No improper influence was ever exerted by me—
me being Cohn—

or by anyone else on behalf of Schine.

Is that statement true or is it false?

Mr. ADAMS. That statement is false.

Senator JACKSON. On Meet the Press on March 14, 1954, Mr. Cohn answered a question of Mr. Jack Bell of the Associated Press, and I quote, I am quoting now:

The only communication we had with the Army—
this is Mr. Cohn speaking—

The only communication we had with the Army about Schine, when he was down at Fort Dix, was pursuant to our arrangements that after his training was over at the end of the day, and over weekends, when he was doing no training, he would, instead of recreational activities, devote himself to work, and that was the only purpose of any communications we had with the Army while he was at Fort Dix.

Is this statement of Mr. Cohn's true or false?

Mr. ADAMS. If I am considered part of the Army, sir, I will state that he did have communications with me for purposes other than that, so that the statement is false.

Senator JACKSON. The next question: Mr. Cohn is quoted on Meet the Press on March 14 as stating in answer to Larry Spivak, and I quote, this is Mr. Cohn's quotation:

As I said, Mr. Spivak, we did not ask for special treatment for him—Schine.

End of quote. Is that statement true or false?

Mr. ADAMS. That statement is false.

Senator JACKSON. In a memorandum from Roy Cohn to Senator McCarthy, dated December 9, 1953, the following was stated. This is December 9, from Roy Cohn to Senator McCarthy. This is December 9, 1953. The following was stated, and I quote:

John Adams said today that following the idea about investigations of the Air Force he had gotten specific information for us about an Air Force Base where there are a large number of homosexuals. He said he would trade us that information if we would tell him what the next Army project was we would investigate.

Is that statement true or false?

Mr. ADAMS. That statement is false.

Senator JACKSON. You have stated under oath, Mr. Adams, that Mr. Cohn used extremely obscene and vituperative language at various times, and said the Army had doublecrossed him—that is, Cohn—when he felt Schine was not receiving the treatment that Cohn felt the Army should have afforded him. Am I correct?

Mr. ADAMS. Yes, sir.

Senator JACKSON. On Meet the Press on March 14 of this year, Mr. Jack Bell asked Mr. Cohn the following question:

Question, BELL. Did you ever use vituperative language as noted twice in this report in discussing this thing, or say that the Army had doublecrossed you?

Answer, COHN. I think some of the other people at the table with you have known me for some time and watched me, although that whatever else I might do, I am not a type who would use vituperative language. I tried to be a gentleman and I think I was in my dealings with Mr. Stevens and with the Army.

Is Mr. Cohn's statement that he never used vituperative language true or false?

Mr. ADAMS. It is false.

Senator JACKSON. In your testimony on May 12, Mr. Adams, of this year, you stated at page 2606 that Mr. Roy Cohn, when he heard that David Schine was liable to be sent overseas, stated, and I quote:

"Stevens is through as Secretary of the Army," and then added with even more force, "We will wreck the Army."

On Meet the Press on March 14, 1954, the following colloquy took place:

Mr. JACK BELL. Mr. Cohn, did you at any time under any circumstances say you would wreck the Army?

Mr. COHN. That statement on its face is so ridiculous that it is even hard for me to answer. Of course I didn't, and of course I couldn't.

Is the denial of Mr. Cohn that he never said he would wreck the Army true or false?

Mr. ADAMS. His denial is false.

Senator JACKSON. Jack Bell then asked as follows:

Mr. JACK BELL. Mr. Cohn, did you say that you would see to it that Secretary Stevens would be through?

Mr. COHN. That again is so ridiculous just on its face. How could I, one employee of a Senate committee, bring about the wrecking of an Army which had beaten Hitler and Tojo?

Is the denial of Mr. Cohn that he ever said that "Stevens would be through as Secretary of the Army," true or false?

Mr. ADAMS. The denial is false.

Senator JACKSON. In Roy Cohn's Frank Carr's, and Senator McCarthy's bill of particulars in paragraph 24, page 12—find that—in paragraph 24, page 12, it is stated, and I quote:

On or about October 13, 1953, Mr. Adams suggested that the subcommittee go after the Navy and Air Force and drop its probe of Communist infiltration in the Army.

Mr. Adams is that true or false?

Mr. ADAMS. It is false.

Senator MUNDT. The Senator's time has expired.

Senator DIRKSEN?

Senator DIRKSEN. No questions.

Senator MUNDT. Senator Symington?

Senator SYMINGTON. I have no questions at this time, Mr. Chairman.

Senator MUNDT. Senator Dworshak?

Senator DWORSHAK. No questions.

Senator MUNDT. Mr. Welch or Mr. St. Clair?

Mr. WELCH. Nothing at this time.

Senator MUNDT. Mr. Cohn or Senator McCarthy?

Senator McCARTHY. Mr. Adams, as you know, I have often told you that we are wasting far too much of my time and yours and Mr. Stevens' on Private Schine, but we will have to waste a little bit more, I believe, and ask these questions of you after the questions Senator Potter asked you.

You have been fairly close to the reporters for the Washington Post, which I have referred to often as the Washington Daily Worker, haven't you?

Mr. ADAMS. I am acquainted with two reporters of the Washington Post.

Senator McCARTHY. You have had them travel with you on trips?

Mr. ADAMS. I traveled once with Mr. Friendly—twice, I beg your pardon. I have traveled with him twice.

Senator McCARTHY. I quote from the issue of Thursday, March 25, 1954, an article in the Washington Post or Daily Worker, depending on which you want to call it:

A top Pentagon official said that the former unpaid consultant to Senator Joseph R. McCarthy's investigating committee and close friend of Roy M. Cohn, chief counsel of the group, will become a student at the Army Criminal Investigation School at Camp Gordon, Georgia, next week.

I quote from the same sheet the next day, the following day, March 26, a front-page story:

The Army has backtracked on assigning Pvt G. David Schine to its Criminal Investigation School after the White House intervened in the case.

Will you tell me whether this is true or whether it is completely untrue?

Mr. ADAMS. I have no knowledge of how those stories came about. I had no knowledge of the efforts with reference to—correction, not the efforts. I had no knowledge of any of the program or planning with reference to Private Schine. I am unable to give you any help on those news stories, sir.

Senator McCARTHY. I wonder if you could do this for us, Mr. Adams: There is a claim here that Schine got special consideration. There are news stories by one of the papers that you favored with a preview of the charge against Cohn, carrying the story that Schine was entitled to go to the Criminal Investigation School, but that the White House intervened. In view of the fact that this—I can't believe this is true, I can't believe the White House would intervene in the case of a private. But you apparently are friendly with this paper. It so happens I am not. Do you think you could find out for me the basis for this story and tell me if you can't find the basis—I know you can't ask for the source of their information, but could you come back Monday and tell me if there is any truth to the story?

Mr. ADAMS. What is it you want me to come back and tell you?

Senator McCARTHY. Whether there is any truth to the original story that Schine was slated for Criminal Investigation School, No. 1, and No. 2, I quote:

That the Army has backtracked on assigning G. David Schine to its Criminal Investigation School after the White House intervened in the case.

If you could do that over the weekend and give me that information Monday I would appreciate it very much.

Mr. ADAMS. I don't think I could do it, sir.

Senator McCARTHY. You don't think you could do it?

Mr. ADAMS. No.

Senator McCARTHY. Couldn't you find out whether or not he had been slated to go to Criminal Investigation School and whether or not somebody intervened and blocked it?

Mr. ADAMS. Did you say could I?

Senator McCARTHY. Yes, could you.

Mr. ADAMS. Yes, I can.

Senator McCARTHY. Would you do that for me?

Mr. ADAMS. Yes. Insofar as I know, that is not true.

Senator McCARTHY. Will you check it? In other words, you say the story is untrue?

Mr. ADAMS. I say insofar as I know, that is untrue.

Senator McCARTHY. You will get in bad with your favorite paper, if you aren't careful.

Mr. ADAMS. My favorite paper is the New York Times.

Senator MUNDT. There is a rule against commercials during the course of the broadcast.

Senator McCARTHY. Just one question, Mr. Adams, along that line: If that is your favorite paper, why did you leave them out of your preview of the charges against Mr. Cohn?

Mr. ADAMS. Senator, I think it is only fair to state that nobody was given a preview of any charges, because at the time I talked to these newspapermen I had no knowledge that any charges would be prepared.

Senator McCARTHY. At least you didn't give your favorite paper a preview of the charges?

Mr. ADAMS. I gave no newspaper a preview of any charge.

Senator McCARTHY. Let's see if we understand what the term means. You gave Mr. Alsop a complete rundown of the charges months before the Senators got them, did you not?

Mr. ADAMS. I told Mr. Alsop what facts I had. It was not a rundown of charges. I had no knowledge that any charges were going to be prepared at that time.

Senator McCARTHY. Didn't you show him your files? Didn't you call him over to the office?

Mr. ADAMS. No, I didn't call him over to the office. He came into my office.

Senator McCARTHY. In his testimony—for your protection, I want to tell you that his testimony is that he was shown all your files—I believe that is correct. Is that true?

Mr. ADAMS. Yes, I said that. That is true. I have admitted that.

Senator McCARTHY. About a month ahead of time.

Mr. ADAMS. I showed him all my files about the 10th of February.

Senator McCARTHY. Do you have authority to do that from Mr. Stevens?

Mr. ADAMS. No, I don't have any authority, and I don't have any lack of authority. That was an independent act on my part. It was a description to a newspaperman of personal experiences, substantially.

Senator McCARTHY. Let's go to another subject, and we will get back to that again perhaps.

Mr. Adams, I am sure you will agree with me that it is a serious matter as far as I am concerned, when members of my staff are accused of improper conduct. I very carefully recruited what I consider an outstanding staff, all of them with a background of FBI training, Justice Department, Secret Service, with the exception of one. Mr. Cohn, as you know, has had a tremendous background in prosecuting Communists in the Rosenberg case, the Remington case, and the top Communists, exposing Communists in the U. N.

Mr. Carr, as you know, was head of the security matters desk of the FBI in New York, and left it to come with my committee. So if they have done anything improper I would like to know about that.

We have been talking about the conversations you had with Mr. Cohn. For the time being could we forget about the conversations and get down to what he did that was improper. In that connection let me ask you this: Didn't I tell you that Mr. Cohn and Mr. Carr were following my instructions, carrying out my orders in digging out Communist infiltration of the military? I told you that, didn't I?

Mr. ADAMS. I don't remember such a statement but I always assumed that they were your employees.

Senator McCARTHY. Good. Now, aside from the conversation, the threats that you talk about, what act did Mr. Cohn do to follow up the threats?

Mr. ADAMS. Senator, were you in the automobile on the 17th of December?

Senator McCARTHY. I was. Would you like to discuss that?

Mr. ADAMS. Yes, sir.

Senator McCARTHY. All right. Let us discuss that. We are getting off my question. We will get back to the question. You and I and Mr. Cohn and Mr. Carr, two friends of mine, had lunch at Gasners, is that right?

Mr. ADAMS. Yes, sir.

Senator McCARTHY. Gasners is a restaurant a short way away from Foley Square in New York?

Mr. ADAMS. Yes, sir.

Senator McCARTHY. And at that time, we spent a great deal of time discussing General Lawton, did we not?

Mr. ADAMS. No, sir.

Senator McCARTHY. You say we did not discuss him?

Mr. ADAMS. He was discussed for a very short length of time.

Senator McCARTHY. How long were we in that restaurant, sir?

Mr. ADAMS. We were in that restaurant about 2½ hours.

Senator McCARTHY. Now, to refresh your recollection, Mr. Adams, did you not bring up the subject of Dave Schine?

Mr. ADAMS. I did, sir.

Senator McCARTHY. You brought up the subject, right?

Mr. ADAMS. I did, sir, for the purpose of getting you to restate what you had told me 3 hours earlier.

Senator McCARTHY. All right. You brought up the subject. When you brought it up, did not Mr. Cohn say, "Let's discuss Lawton because I want Senator McCarthy to know what Adams and Stevens are trying to do to Lawton"?

Mr. ADAMS. No, sir, he did not.

Senator McCARTHY. Well, we did get onto the question of Lawton, didn't we?

Mr. ADAMS. Yes, sir.

Senator McCARTHY. And you indicated to me that Lawton was to be relieved of his command?

Mr. ADAMS. On that occasion, sir?

Senator McCARTHY. Yes.

Mr. ADAMS. The answer is in the negative.

Senator McCARTHY. Well, what did you tell me about Lawton?

Mr. ADAMS. I said very little about Lawton on that occasion. The remark, as I remember, was bought out by Mr. Cohn, and about my only statement with reference to it was to protest and say that the allegation he made with reference to the Secretary's plans concerning General Lawton was not true, and that Mr. Cohn should be ashamed of himself for saying that.

Senator McCARTHY. In other words, Mr. Cohn pointed out to me that General Lawton was to be broken rather than lose his command, because of his cooperation with the committee, and you said he was being relieved of his command for a different reason, and you asked me what I would do if Lawton were broken?

Mr. ADAMS. Not on that occasion; no, sir.

Senator McCARTHY. Then, we started to ride downtown, seeing you want to discuss that ride, right?

Mr. ADAMS. Yes, sir.

Senator McCARTHY. And we came to a place where there is no left turn allowed?

Mr. ADAMS. That is right.

Senator McCARTHY. There was a policeman on the corner?

Mr. ADAMS. 34th Street.

Senator McCARTHY. Mr. Cohn had a card, he held out the card for the policeman and said, "Mr. Adams wants to go to the railroad station, can I turn left here?" And the policeman said, "Who in the something or other is Mr. Adams, go on ahead?"

Mr. ADAMS. That didn't happen, Senator, I regret to correct you. He said he wanted to turn left, and the policeman said, "No, don't pull that card on me. Go straight ahead."

Senator McCARTHY. He tried to turn left to take you to the depot?

Senator MUNDT. Senator McCarthy, your time has expired. Mrs. Watt reminds me that it is just past 3:30. We will stand for a 5-minute recess at this time.

(Brief recess)

Senator MUNDT. The committee will please come to order. Are you ready, Senator Jackson?

Senator JACKSON. Yes, Mr. Chairman.

Senator MUNDT. Senator McCarthy's time has expired, so we will start around the clock again and start with Counsel Jenkins, if he has any questions to ask.

Mr. JENKINS. I pass, Mr. Chairman.

Senator MUNDT. Mr. Adams, we were interrupted by the expiration of my 10-minute period last. As the Chair recalls we had gotten beyond the period of January 20 over to some unnamed date on the occasion of a telephone call with George Sokolsky, which, if the Chair understood your answer correctly did not involve what you considered to be any improper means on the part of Mr. Carr. You simply said that at the time it occurred, you thought it was a bit unusual, is that right?

Mr. ADAMS. That is correct, sir. I certainly thought the entrance of Mr. Sokolsky was improper.

Senator MUNDT. Mr. Sokolsky is not a witness at this time. We are trying to determine what charges are to be made against Mr. Carr. Will you search your memory now, or your files—what date was that, by the way, if you have it?

Mr. ADAMS. I talked to Mr. Sokolsky, as I recall it, on the 5th of February, the 12th of February and on the 16th of February.

Senator MUNDT. Then up to the 5th of February, then, there had been nothing at the time it was taking place you considered to be improper on the part of Carr?

Mr. ADAMS. That is right.

Senator MUNDT. Now, will you move to the present date from the 5th of February and specify the first date and the nature of the first action or conversation on Carr's part that you allege is improper, or that it comprised a threat or that it was an effort to intimidate the Army?

Mr. ADAMS. Well, my calls with Sokolsky were always a result of Carr's urgings. I have stated to you I thought they were odd. I did not think in themselves they constituted a threat.

Senator MUNDT. Very well. We will eliminate, then, the calls of Sokolsky. That takes us to February 16.

Mr. ADAMS. That is correct.

Senator MUNDT. Will you keep on coming down toward May and tell us the date of the first occasion, then?

Mr. ADAMS. On February 18, in New York.

Senator MUNDT. February 18. Go ahead.

Mr. ADAMS. February 18, on the occasion of the Zwickler incident. I was told by Mr. Cohn that he could no longer negotiate with me, that it was Mr. Carr or Sokolsky with whom I would have to negotiate. That is no act on Mr. Carr's part; it is merely for the purpose of showing you the pattern of how these things developed.

Senator MUNDT. Very well, leave February 18 and keep on moving toward May and determine when Mr. Carr did first inject himself improperly into—

Mr. ADAMS. In March, Mr. Carr—

Senator MUNDT. Could you give us the date in March, approximately?

Mr. ADAMS. In the early days of March, I talked to Mr. Carr on the telephone on a number of occasions. On the 4th of March, he said that he was anxious to see me, that it was important to the Army, that it was important to me. He made it clear that I should come and see him. We agreed to meet at the Methodist Building for lunch, and we did go there for lunch. I don't recall whether I picked him up in his office first or not. But in any event, at the luncheon, he told me, through the entire luncheon, for the better part of a long luncheon, that—

Senator McCARTHY. Mr. Chairman?

Senator MUNDT. Senator McCarthy.

Senator McCARTHY. This is not a point of order. I merely want to call the Chair's attention to the specifications of Mr. Adams and Mr. Stevens. On the last date here on which they allege any improper conduct was February 16. I don't make a point of order; I merely call that to the Chair's attention.

Senator MUNDT. No. Subsequent to the issuance of that statement, however, Mr. Adams has testified under oath that down to the date of March 4, there was nothing done by Mr. Carr that he considered to be in the nature of a threat or to constitute intimidation or improper means. We are now discussing March 4, an occasion in the Methodist Building, and he is going to tell us whether or not he thinks Mr. Carr did inject himself improperly into the affairs of the Army on that date.

Mr. ADAMS. The last specification, Mr. Chairman, to which Senator McCarthy refers, No. 29, says:

On or about February 16, and on several other occasions * * *

Senator MUNDT. This is one of those other occasions?

Mr. ADAMS. Yes, sir. On the 5th of March, I had lunch with Mr. Carr in the Methodist Building. The entire—not all, but substantially all of the conversation during that lunch period was devoted to discussion of the problems the Army was having with the committee, and Mr. Carr stated to me on numerous occasions on that day that he felt that I should understand that so long as Mr. Cohn was not satisfied with the assignment status of Mr. Schine, we were in for trouble. He stated further that he was making progress, as he put it, in alleviating the irritation which Senator McCarthy at that time had against the Army.

He coupled the two together:

I am making progress in relieving this situation insofar as I am concerned—he said, on the one hand, and on the other he said—

You have got to understand that until Mr. Cohn is satisfied with reference to Private Schine, the Army is in continuing trouble.

That is the incident of March 5. We had 2 or 3 telephone conversations—

Senator MUNDT. Are you leaving March 4 or 5 now?

Mr. ADAMS. March 5; yes, sir.

Senator MUNDT. Mr. Adams, I know you will pardon me if I appear a little persistent. I am a South Dakotan and you are a South Dakotan. You recognize that when you and I were young men out there in the early thirties, South Dakota was plagued by drought, by dust storms, by a depression, by Democrats, and we managed to survive most of those difficulties and conquer them and consequently became a sort of persistent people.

Perhaps I am persevering and persistent, and I expect you to be. We must stick to March 4 now and determine whether or not on that occasion anything was said in the nature of a threat.

Am I incorrect in recalling your direct testimony to the effect that in recounting, yesterday or the day before, the luncheon in the Methodist Building, you stated that Carr was reporting to you as a sort of progress report in the direction of placating McCarthy and Cohn, and that you felt at that time Carr had no personal interest in Schine, but was rather serving as an intermediary trying to make peace?

Mr. ADAMS. That is correct. Not so much as an intermediary trying to make peace, but as an agent passing on to me his evaluation of what faced the Army unless—

Senator MUNDT. It was an interpretation or his understanding of what may have been the opinion of Mr. Cohn, rather than his own opinion?

Mr. ADAMS. I think so.

Senator MUNDT. In other words, what I am trying to determine is whether it was possible that Mr. Carr, with relationship to his associates on the committee, had a position which was rather analogous to the position that you had with your associates in the Army. You had repeatedly testified that you went out of your way to initiate phone calls with Mr. Cohn and to see him at different luncheons, and to call him even after he had made threats, because you had to do business with the committee and you felt that was in your line of duty; that you were not in any way doing that because you were trying to call off hearings.

Is it not conceivable that Mr. Carr, in his capacity, was conversing with you much in the same fashion that you conversed so frequently with members of our committee?

Mr. ADAMS. It is conceivable, sir. That is conceivable.

Senator MUNDT. In other words, you would not be prepared to deny that hypothesis at the moment?

Mr. ADAMS. No. Of course, I felt—I began to feel and I certainly felt after Senator McCarthy's charges against the Army were published, that the pattern became more clear. It is wrong for an agent to transmit threats, it seem to me, and the incidents of the next week subsequent to the 5th of March certainly crystallized—

Senator MUNDT. You give us the new date and the new locale and the new report. We will pass away from March 4, on the basis that that certainly conceivably could have been in friendly discussion with you and in the common interest that you and he shared, of trying to have respectable and peaceful relations between the two entities.

Mr. ADAMS. The place we proceed to is the publication of Senator McCarthy's memoranda on March 12.

Senator MUNDT. March 12?

Mr. ADAMS. Yes, sir. Those memoranda, 3 or 4, which carried Mr. Carr's name, I presume, were published with his authorization, I presume were written by him, and those memoranda are false. They are so false, so patently false, in my mind, from my knowledge—

Senator MUNDT. Very well, before we get to March 12, then, does the Chair understand that up until that date there were no actions on the part of Carr which at the time they were made could reasonably be interpreted by you as being threats against the Army, as being efforts to intimidate the Army or as being improper means to influence the decision of the Army—up until March 12?

We still have a week between March 5 and March 12. Maybe there is some other incident I don't know.

Mr. ADAMS. I had one other—I say one. I had at least one telephone conversation with Mr. Carr on about the 8th of March.

Senator MUNDT. Tell us about that.

Mr. ADAMS. In which he was urging me to come up and see him. He was telling me:

You said you would come up yesterday and you haven't done it. You said you would come up the day before and you haven't done it. This is my last offer, friend.

I didn't know exactly what he meant, but it was a strange thing to say.

Senator MUNDT. Would you want to indict Mr. Carr before the American public on the basis of a statement of which you say you did not know what it meant? Surely I don't know what it meant. I didn't hear it. I have no more interest in Mr. Carr than I have in all of the rest of the parties in this dispute, all of whom, incidentally, as you well know, Mr. Adams, including yourself, are friends of mine. I am just looking for the truth. I don't feel that the executive agencies, any of them, should engage in attacks on people without specifying the charges any more than I feel congressional committees should do that. Congressional committees have been freely criticized by the press for having done it. I would expect the press to react the same way if the executive agencies do it. I hope that it is not done. So I hope that either we do specify some charges against Mr. Carr or withdraw them, in the interest of decency and fair play.

Now we are on the telephone conversation which you could not understand, and which I couldn't understand. Do you want to say under oath that you feel that that should be considered as an indictment of Mr. Carr, on the 8th?

Mr. ADAMS. I felt that that was an indication to me that if I didn't get up there Mr. Carr's efforts to assist—not to assist, his efforts that he persisted in telling me that he was undertaking to reduce the fire, the temper which Senator McCarthy was expressing against the Army, would cease. You just don't make an offer like that for nothing.

Senator MUNDT. My time has expired. We will start in at March 5 when we resume.

Senator Jackson?

Senator JACKSON. Mr. Adams, I would like to resume the previous line of questioning, and I would like to invite your attention to paragraph 25 on page 12 of the bill of particulars submitted by Mr. Cohn, Mr. Carr, and Senator McCarthy.

In paragraph 25, page 12 of this document that I referred to, I quote:

On or about October 21, 1953, Mr. Adams renewed his suggestion that the subcommittee conduct an investigation of the Navy and Air Force and drop the investigation of his department.

Mr. Adams, is that allegation true or false?

Mr. ADAMS. The allegation is false.

Senator JACKSON. Paragraph 26 on page 13, again referring to the same document, states, and I quote:

On or about November 6, 1953, Mr. Stevens and Mr. Adams suggested that the Navy, Air Force, and Defense Establishment proper would be appropriate objects of investigation instead of their administration of the Army, and Mr. Adams offered to supply information about them.

First, Mr. Adams, did you ever hear Mr. Stevens make such a suggestion to any Senators on the subcommittee or to any of the subcommittee staff?

Mr. ADAMS. I did not, sir.

Senator JACKSON. Second, did you ever make such a suggestion to any of the Senators on the subcommittee or any of the subcommittee staff?

Mr. ADAMS. I did not.

Senator JACKSON. Third, did you, Mr. Adams, ever offer to supply information about the Navy, Air Force, or Defense Establishment proper, to the subcommittee for their investigation?

Mr. ADAMS. I did not, sir. I never had such information to supply. I wouldn't have done it had I had the information.

Senator JACKSON. Now, referring back to the allegations in paragraph 26 that I read to you just a moment ago, is that allegation true or false?

Mr. ADAMS. It is false.

Senator JACKSON. Paragraph 27, on page 13, and I continue to read from this same document, states, and I quote:

On or about November 14, 1953, Mr. Adams advised that in his opinion the time is ripe for the investigation to turn to the Navy.

Mr. Adams, is that statement true or false?

Mr. ADAMS. That statement is false.

Senator JACKSON. Referring again to the same document, paragraph 28, page 13 states, and I quote:

On or about November 17, 1953, Mr. Stevens and Mr. Adams renewed their request that the subcommittee should investigate the Navy and Air Force.

Did you, Mr. Adams, hear Mr. Stevens make such a request to any member of the subcommittee or subcommittee staff?

Mr. ADAMS. No, sir; I did not.

Senator JACKSON. As far as you are concerned personally, Mr. Adams, is this statement true or false?

Mr. ADAMS. It is false.

Senator JACKSON. I call your attention now to page 13, the same document, paragraph 29 states, and I quote:

On or about November 30, 1953, Mr. Adams made a specific suggestion, and offer of assistance, in switching the subcommittee's probe from his Department to another branch of the service.

Is this statement, Mr. Adams, true or false?

Mr. ADAMS. That statement is false.

Senator JACKSON. Page 13, again the same document, paragraph 30 states, and I quote:

On or about December 9, 1953, Mr. Adams again urged that the subcommittee begin to investigate security risks in the Air Force, and offered specific information in return for certain information he desired from us in forestalling a further investigation of his department.

Did you, Mr. Adams, urge that the subcommittee investigate security risks in the Air Force on or about December 9, 1953?

Mr. ADAMS. I did not.

Senator JACKSON. Did you offer specific information with regard to this matter?

Mr. ADAMS. I did not, sir. I never had such information. I wouldn't have offered it if I had had it.

Senator JACKSON. Mr. Cohn stated on Meet the Press on March 14 of this year, in answer to a question by Larry Spivak that you, Mr. Adams, stated that you would furnish the subcommittee with information concerning an Air Force base where there were a number of sex deviates and you, Mr. Adams, thought this would make an excellent hearing for the subcommittee. He went on to say and I quote Mr. Cohn as follows:

I might say I remember that very clearly because Mr. Adams took out a pad of paper, and drew a map of the country, and divided it into sections and numbered them, 1 through 9, as I recall it, and told Mr. Carr and myself that if we would indicate on that map the location of the Army base which we were about to

investigate, that he would mark on that map the location of an Air Force base wherein this mess existed and that we would then be able to go after that.

End of quote from Mr. Cohn's statement on Meet the Press on March 14 of this year. Is this allegation of Mr. Cohn's true or false?

Mr. ADAMS. The statement is false.

Senator JACKSON. That is all of my questions at this time, Mr. Chairman. I yield back the balance of my time.

Senator MUNDT. Thank you.

Senator DIRKSEN?

Senator DIRKSEN. Mr. Adams, in addition to all the telephone calls to Mr. Sokolsky, did a meeting with Mr. Sokolsky ever eventuate?

Mr. ADAMS. Between me and Mr. Sokolsky as a result of those calls, sir?

Senator DIRKSEN. Either that or a meeting at which you and Mr. Sokolsky may have been present.

Mr. ADAMS. Mr. Sokolsky was present at the luncheon in the Merchants Club on the 17th of November.

Senator DIRKSEN. Was there any other occasion?

Mr. ADAMS. There was no other occasion when I was in Mr. Sokolsky's presence that I now remember, sir.

Senator DIRKSEN. So you did attend one luncheon session in New York when Mr. Sokolsky was present?

Mr. ADAMS. Yes, sir.

Senator DIRKSEN. I notice in connection with your testimony that you went to the Methodist Building to have lunch with Frank Carr on an occasion?

Mr. ADAMS. Yes, sir.

Senator DIRKSEN. Now, in addition to that, I presume that on occasions there were luncheon sessions at the Carroll Arms Hotel, in the dining room.

Mr. ADAMS. There was one luncheon in the Carroll Arms Hotel on the 10th of December, with Senator McCarthy, Mr. Stevens and Mr. Carr and me present. That, at this moment, is the only one I remember.

Senator DIRKSEN. Were there any subsequent luncheons?

Mr. ADAMS. At the Carroll Arms Hotel, sir?

Senator DIRKSEN. Yes.

Mr. ADAMS. I don't now recall them. There may have been, but I don't now recall them.

Senator DIRKSEN. I raise the question for only one reason, because in my mind now is this whole incantation of social events, the prize fight—by the way, after the prize fight was the hospitality of the Stork Club enjoyed on that occasion?

Mr. ADAMS. Yes, sir.

Senator DIRKSEN. So there was the prize fight, the Stork Club, Gasner's Restaurant, the Merchants Club in New York?

Mr. ADAMS. Yes, sir.

Senator DIRKSEN. The Carroll Arms in Washington?

Mr. ADAMS. Yes, sir.

Senator DIRKSEN. The Methodist dining room?

Mr. ADAMS. Yes, sir.

Senator DIRKSEN. The dinner or the luncheon at which Mr. Sokolsky was present?

Mr. ADAMS. Yes, sir. That was in the Merchants Club.

Senator DIRKSEN. Were there any other social occasions while this heady feud was developing and going on?

Mr. ADAMS. While this what feud was going on?

Senator DIRKSEN. This rather heady feud, as one might call it. I will withdraw that and just say while these developments were in progress.

Mr. ADAMS. I was in New York, sir, a total of I think 12 days, during October and November, and a day or so in December. On about 6 or 7 of those occasions we had lunch together. We went to Fort Monmouth together, and we had lunch together at Fort Monmouth. When—we had lunch together at Gasner's Restaurant on 6 or 7 occasions. We lunched in the Merchants Club twice with Mr. Cohn present and another time when Mr. Cohn was not present. Once Mr. Cohn was the host to Mr. Carr and me and a newspaper-woman whom he had known all his life, he said, at the Stork Club. I think that was on November 23. We went to the prize fight one evening, and then on the night of November 23 or 24 after Senator McCarthy had had a television broadcast, I was not with him during the evening but I went over at 11:30 at night to watch the television broadcast and subsequent to that, a fairly large party, 6 or 7 of us went to the Stork Club. And on one or two occasions, subsequent to evening hearings in New York, we would ride uptown together. On one occasion we stopped in the lounge of the Waldorf-Astoria for an hour or so, and on one occasion we went to the apartment of a friend of Senator McCarthy.

Senator DIRKSEN. The only reason for this question, Mr. Adams, was this: When Secretary Stevens was on the stand I raised the question of whether or not a good deal of this discussion back and forth over a period of time wasn't in the nature of ribbing and banter. And in that atmosphere and that temper, of course expressions are used which, when reduced to cold print have a significance that probably was not intended. So what I am trying to rationalize is the alleged threats and condign promises by Mr. Cohn that he was going to wreck the Army and that sort of thing, against a very interesting and almost continuous social background which would remind one of that old play that was popular years ago, Friendly Enemies, and that perhaps some of the steam would be taken out as a result.

That is all, Mr. Chairman.

Senator MUNDT. Senator Symington?

Senator SYMINGTON. Mr. Adams, I have been listening with interest to the questioning of the Chairman with respect to Mr. Carr. Our counsel for the committee said these charges were made up very quickly at his request, and I think Mr. Welch at some point verified the fact that they were made up quickly.

In all frankness, if you had a chance now to revise those charges, would you take Mr. Carr's name out?

Mr. ADAMS. Sir, I would not, for the principal reason of the memoranda which he permitted to be published over my name as much—which he permitted to be published over his name as much as anything else, and which suggest certain actions on my part which are not true. That was the hardest thing of all for me to take.

The other specifications I think are specifications which the committee itself will have to decide whether they should remain in or come out.

Senator SYMINGTON. What memorandum are you referring to?

Mr. ADAMS. I am referring to memoranda published on the 12th of March, there are four of them, which refer to actions on my part with reference to Schine, actions which are not accurate.

Senator SYMINGTON. You feel that you are going to develop something in the future with respect to Mr. Carr?

Mr. ADAMS. Do I what, sir?

Senator SYMINGTON. Do you feel that you are going to develop something in the future with respect to Mr. Carr?

Mr. ADAMS. I don't think I understand.

Senator SYMINGTON. Are there any charges that you plan to make against Mr. Carr that you have not yet made?

Mr. ADAMS. No, sir.

Senator SYMINGTON. Because, if there were, I think you should make them now. There aren't any, is that correct?

Mr. ADAMS. Excepting the denial we have made of the memoranda of Mr. Carr.

Senator SYMINGTON. Specifically, on December 9, 1953, I notice a memorandum from Frank Carr to Senator McCarthy which says:

Again today John Adams came down here after the hearings and using clever phrases tried to find out "What's there in it for us" if he and Stevens did something for Schine. He refers to Schine as our hostage or the hostage whenever his name comes up.

Is that statement of Mr. Carr's in this memorandum true or false?

Mr. ADAMS. That is false, sir. I would like to state one thing further. The first time in my life—correction, not the first time in my life. The first time in relationship to this committee that I can remember having heard the word "hostage" was when it was reported to me—hostage insofar as it concerned Schine—was when it was reported to me subsequent to the meeting of the members of the committee on January 22 that Senator McCarthy had referred to Schine as a hostage. I telephoned Frank Carr a few days after that and asked him if it was true, and expressed great concern. I was very shocked at that development. I had never heard that before, that I can remember, and it was very hard for me to take. It was an entirely new pattern.

Carr admitted that he had heard that remark made, and he said something to the effect that unfortunately he thought that Senator McCarthy was now coming around to that point of view.

But here is a memorandum which is much earlier than that, that I just cannot reconcile with the facts as I recall them.

Senator SYMINGTON. You anticipate my next question. Did you ever use the word "hostage" to Mr. Carr with respect to Schine?

Mr. ADAMS. Well, subsequent to the time that I heard it on January 22, it may have been used between Carr and me once or twice, because we saw some irony in that new attitude by Senator McCarthy; but prior to January 22, insofar as I can recall, it was never used.

Senator SYMINGTON. Do you remember any specific time when you used it with Mr. Cohn or Senator McCarthy?

Mr. ADAMS. No, I am quite sure that I didn't. It was too much of a touchy subject with Mr. Cohn. I wouldn't have done that with him.

Senator SYMINGTON. So your recollection is that if you used the word "hostage," you only used it to Mr. Carr, and you are not sure whether you used it at all; is that correct?

Mr. ADAMS. Yes, sir, and if I used it with Mr. Carr, it was subsequent to January 22, which was the first time it was ever brought into the picture insofar as I can recall, and it would only have been when we were alone together, because we both saw the same sort of irony in this new development.

Senator SYMINGTON. Mr. Adams, do you think—I don't want to ask a hypothetical question, and I will leave it up to you whether you believe it is one. Do you think that just because Mr. Carr charges you with wrongdoing, you have the right to charge him with wrongdoing, even if up to that time you did not feel that he was guilty of any wrongdoing?

Mr. ADAMS. Sir, it is a kind of hypothetical question, and I can only answer it in the same manner that I have answered Senator Mundt. I fear it will not satisfy you.

By the time Senator McCarthy's charges were out, when I reviewed all of the incidents of the past few months, they seemed to me to establish a pattern which, on the occasion of the occurrence of any one specific incident, had not bothered me.

Senator SYMINGTON. Mr. Adams, when did you first join the Army?

Mr. ADAMS. As an employee?

Senator SYMINGTON. When did you first join the Army?

Mr. ADAMS. I was commissioned in the Army as an officer when I graduated from college, ROTC, in 1934. I went on active duty in the Army in 1942, early in World War II.

Senator SYMINGTON. When did you leave the Army?

Mr. ADAMS. I served on active duty for about $3\frac{3}{4}$ years. I think my separation papers are about the 1st of January 1946.

Senator SYMINGTON. What branch of the service were you in?

Mr. ADAMS. My basic branch was infantry, sir.

Senator SYMINGTON. When did you come back to the Department of Defense?

Mr. ADAMS. I entered the Department of Defense as a civil servant, as an attorney adviser to Mr. Forrestal while he was Secretary of Defense, on about the 1st of February 1949.

Senator SYMINGTON. Weren't you with the Armed Services Committee in the Senate?

Mr. ADAMS. Yes, sir. I was chief clerk of the Armed Services Committee of the United States Senate from about January 10, 1947, until the time that I went to work for the Secretary of Defense.

Senator SYMINGTON. I have no further questions, Mr. Chairman.

Senator MUNDT. Senator Dworshak?

Senator DWORSHAK. No questions.

Senator MUNDT. Mr. Welch?

Mr. WELCH. Just one minute.

Just one or two questions. Senator Symington asked you about your term of service. May I ask you where you served, Mr. Adams?

Mr. ADAMS. I served initially at Camp Edwards, Mass. I was there about 5 weeks. Then I went overseas to England and was there for

about 6 weeks until I participated in the landing in Africa in November of 1942, and then I went to Fifth Army Headquarters shortly after the landing in Italy.

I was with the Fifth Army in Italy until the summer of 1944, when I went to France with the Sixth Army Group when it made its landing in France in 1944. I stayed with that organization until about V-E Day when I came home for duty after V-E Day as a student at the Command and General Staff School at Fort Leavenworth, Kans. I completed that service on just about V-J Day and the balance of my service was in the Army service forces in Washington, D. C.

Mr. WELCH. That is all.

Senator MUNDT. Senator McCarthy, or Mr. Cohn.

Senator McCARTHY. Mr. Adams, I was asking you when my 10 minutes ran out, not what threats Mr. Cohn made, but what threats were carried out. You called my attention to an automobile ride uptown. We have now established that he did not take you to the railway station. He made you take a cab. But let's forget about when you had to take a cab and things like that. I would like to know what threats in regard to the hearings, the calling of witnesses, and this investigation were carried out by Mr. Cohn.

Mr. ADAMS. May I have the question read? I didn't hear it.

Senator MUNDT. The reporter will please read the question.

Senator McCARTHY. Maybe I can restate it briefer.

Senator MUNDT. All right. Restate it.

Senator McCARTHY. What threats on the part of Mr. Cohn having to do with the investigation of Communists were actually carried out? If any?

Mr. ADAMS. Mr. Cohn didn't make any threats having to do with the investigation of communism. His threats were generalized and, as I have stated to you before, they culminated in my mind in this Loyalty Board matter.

Senator McCARTHY. Let's get that straight. You know, don't you, Mr. Adams, that I had repeatedly told you and said publicly that we would ultimately have to have the Loyalty Board before us to find out who was clearing Communists to handle secret radar work. You know I have made that statement any number of times before there was any misunderstanding between you and Roy Cohn. Don't you know that?

Mr. ADAMS. I do know that, sir.

Senator McCARTHY. All right. So then—

Mr. ADAMS. I know also, sir, that Mr. Cohn and Mr. Carr used to discuss the matter with me, and I had statements from them which were in the nature of assurances to the effect that they knew that this would not become an issue between us. They knew how concerned I was about it in November.

Senator McCARTHY. In other words—pardon me, if I interrupted you.

Mr. ADAMS. They knew how concerned I was about it in November, and they knew that I felt it was a fundamental constitutional issue, and although the opinion which I might have might not be the same as the opinion of someone else, that it was a very knotty problem, and it was one which I hoped would not become an issue.

Senator McCARTHY. All right. You may be getting down to the facts, then. In other words, you say that Mr. Cohn and Mr. Carr

told you in effect that they would try and keep me from insisting upon the calling of the Loyalty Board. Is it correct that you say this is improper conduct on Mr. Cohn's part—let me finish—because he was not successful, that I maintained the same position from the beginning of the hearings until I finally said, "Mr. Adams, you have got to produce them." You don't blame Mr. Cohn for what I had been insisting upon for months and months and months, do you?

MR. ADAMS. No. I testified before, Senator McCarthy, that it seemed to me that this ultimatum resulted from—I don't disagree with your right, sir, to issue an ultimatum of that sort, please understand that. But it seemed to me as though this erupted as an issue because of the news that Mr. Cohn got with reference to the assignment of Private Schine. And when I inquired of Mr. Carr about how this had come about, he stated to me that Mr. Cohn had returned the night before from Florida, and that there was nothing he, Carr, could do about it.

SENATOR MCCARTHY. All right, let's get back out of the field of speculation into the field of fact. I had told you repeatedly, Mr. Adams, that I would ultimately insist upon the calling of the whole Loyalty Board that had been sending Communists back to the secret radar school. I told you that was much more important than picking up the individual Communists. Now, do you say it is improper conduct on Mr. Cohn's part because he couldn't influence me to forget about calling those members of the Loyalty Board who failed to do their duty? Is that improper conduct?

MR. ADAMS. No, I think he could influence you, and I think he did.

SENATOR MCCARTHY. When did he start to influence me? When I originally make the statement?

MR. ADAMS. On the case of the Loyalty Board. I think he influenced you on the day he came back from Florida. This is in the realm of speculation, you understand, sir.

SENATOR MCCARTHY. Let's get down to the facts, sir. You know, do you not, that I told you and I had publicly stated time after time, that this investigation could not end until we had the members of the Loyalty Board before us. Those statements were made long before Schine was drafted, and I finally became impatient with you and said, "Mr. Adams, you must produce five of the members of the Loyalty Board." Isn't that the situation?

MR. ADAMS. Not in the context that you give it, Senator.

SENATOR MCCARTHY. Is there any other threat that you say Mr. Cohn carried out besides his inability to get me to desist from calling the Loyalty Board? What else did he do, not what he said, but what else did he do with regard to the hearings which you consider improper or the carrying out of a threat?

MR. ADAMS. Again, we are in the field of speculation, Senator.

SENATOR MCCARTHY. Let's get to facts.

MR. ADAMS. All right. You are asking me to think, and I have got to tell you what is in my mind.

SENATOR MCCARTHY. That is not unreasonable, John, to ask you to think.

MR. ADAMS. But then when I try to give you an answer, from my own thoughts—

SENATOR MCCARTHY. Mr. Adams, you made the charges. You must have done some thinking before you made them. I am asking you

the very simple question now: What did Mr. Cohn do that you consider improper aside from what he said that he was going to do?

Mr. ADAMS. Other than the Loyalty Board thing?

Senator McCARTHY. Other than the Loyalty Board thing, yes, which obviously was my act.

Mr. ADAMS. I don't at the moment recall specific incidents that I can state resulted from Mr. Cohn's anger.

Senator McCARTHY. Mr. Cohn.

Mr. COHN. Mr. Adams, on the question of the Loyalty Boards, is it not a fact, sir, that you had willingly produced one member of the Loyalty Board on October 30, and you had not asserted this objection which you suddenly asserted in January?

Mr. ADAMS. I did produce the member of the Loyalty Board and I produced him because it was clearly indicated that the interrogation of the individual was going to go to his background and behavior and not his participation on the Loyalty Board.

Mr. COHN. Did not Senator McCarthy indicate to you, sir, on January 19, that the interrogation of other members of the Loyalty Board would go to their personal backgrounds, too?

Mr. ADAMS. He did.

Mr. COHN. I quote,

We are interested in matters of graft, alleged graft, corruption and misconduct on the part of the individual members of the Board having nothing to do with their official duties.

Mr. ADAMS. He did.

Mr. COHN. Well, can you tell me the difference between that, on January 19, and between the situation on October 30 when you willingly produced the Loyalty Board members?

Mr. ADAMS. No, if the facts were true that they were to be interrogated about graft and personal misconduct, they should be interrogated.

Mr. COHN. Did you know that the facts were not true?

Mr. ADAMS. No.

Mr. COHN. You did not know that?

Mr. ADAMS. No.

Mr. COHN. But nevertheless you went to members of this committee and said, and coupled, I think the words of Senator Dirksen was "coupled," a request to this committee to kill those subpoenas with a story about myself and about you.

Is that not the fact?

Mr. ADAMS. Yes.

Now, Mr. Cohn, let me state something further.

Mr. COHN. Surely.

Mr. ADAMS. The indications were to me, not that there were only five people to be interrogated but that the whole Board was coming up. The problem which I was facing had to do with this whole Board. And the problem on which I had my conferences with officials outside of the Department of Defense had to do with the whole Board and its problem. And the interrogation on this particular day, insofar as I knew, were virtually a series of interrogations, and I was attempting to crystalize the position which the Army would take. It was made clear to me, by all of the officials to whom I talked, and I think the legal memorandum which we supplied the committee a few days ago reflects that, that if an individual is going to be interrogated

about matters having to do with his personal misconduct, obviously he must respond to a subpoena. The overall problem was the problem which concerned us. It happened that there were five individuals who were to be interrogated the next day, or on Friday of that week, and that it was suggested that they had graft and personal misconduct in their background. It was the overall problem that faced us.

Mr. COHN. Well, Mr. Adams, if I might get back to the question here, did you then know or do you know now of any provision in law which gives immunity from service of subpoena and response to subpoena to members of the Loyalty Board?

Mr. ADAMS. I do not. The only thing—

Mr. COHN. You do not know that? In other words, there was no legal basis?

Mr. ADAMS. The only thing I knew then and the only thing I know now is that there is a substantial body of opinion in the Government that under the theory of constitutional separation it is within the purview of the executive to decide whether or not he will make the individual available.

Mr. COHN. Mr. Adams, I might suggest, sir, there might be two ways of pursuing something. One way might be to prepare a legal opinion and present that to the committee. Another way, apparently the way you choose, would be to go to the committee and say in effect or substance, "Either these subpoenas are killed, or else."

Isn't that what you did, sir?

Mr. ADAMS. There was no "Either or else."

Senator MUNDT. The time has expired.

Mr. Jenkins?

Mr. JENKINS. Pass.

Senator MUNDT. Mr. Adams, I am hopeful that with this round we can conclude our interrogatory as far as Frank Carr is concerned. When we left off, you were telling me about a phone call on March 8, which if the Chair understood you correctly, you said that you had some difficulty in interpreting, and if the Chair further understood you, you felt that you would not want to make an allegation of misconduct against Mr. Carr solely on the basis of a telephone call that you could not interpret, but that you were making your allegations in connection with a memorandum that he issued—that was issued by Senator McCarthy on Mr. Carr, and Mr. Cohn, on March 12. Is that correct now?

Mr. ADAMS. Did you say I was making it solely on that?

Senator MUNDT. Yes.

Mr. ADAMS. No, I stated—

Senator MUNDT. If I am wrong, correct me.

Mr. ADAMS. No, I stated I had a feeling, not a feeling—I had the occasion to review the pattern of the months on March 12, and in the light of all that had happened by all of the principals, and in the light of the memoranda to which I have referred, I could not in my own mind escape the fact, and I cannot now escape the fact, that Mr. Carr's action constituted participation.

Now, if the committee decides that that is not so, it is within the committee's purview, of course, but that is my personal opinion.

Senator MUNDT. When I said "solely," you will recall, Mr. Adams, I was doing it on the basis of our long and continuing colloquy asking you specifically on each occasion whether at the time of the event,

not in retrospect, at the time of the event, you felt that his actions or his statements were either threats to the Army, or attempts to intimidate, or attempts to improperly influence the Army to do something.

In that regard I understood you to say that insofar as the conversation on March 8 was concerned, you weren't sure just how to interpret it, but you would not make an allegation that that was a threat to the Army. If I am wrong in that understanding, will you tell me how I am wrong?

Mr. ADAMS. You are correct, sir.

Senator MUNDT. Thank you. We come then to March 12.

Mr. ADAMS. Yes, sir.

Senator MUNDT. As the real time when you felt that Mr. Carr had taken an overt act or had done something which you would consider improper; right?

Mr. ADAMS. Yes, sir.

Senator MUNDT. Let me point out, No. 1, that on March 11 there was sent to the committee by Colonel Houck a statement of items, 34 pages long, a statement of events. In those events Mr. Carr's name was mentioned nine times. That was, of course, before March 12. Those nine items, I might say, are in the main reviewed and condensed in your statement of April 13, which was your specific charge, but I simply point out that according to your testimony under oath today, none of these items in this communication of March 11 in the 34 pages, insofar as they refer to Mr. Carr, were, in your opinion, threats against the Army or reasons for this committee to conclude that he had used the Army improperly. It was something he did the day following the release by the Army of this document to the members of the committee. That is correct, is it not?

Mr. ADAMS. Not exactly, sir.

Senator MUNDT. If it is wrong, correct me.

Mr. ADAMS. I regret to prolong this discussion. As I stated to you, when the Army—when the whole pattern was developed, it seemed to me as though it was a threat. If you do not agree, sir—

Senator MUNDT. Let me go back. It may be that you have access to Senator McCarthy's files. Did you know on March 11 that there was a document or memorandum from Mr. Carr in the McCarthy files that was subsequently released on March 12?

Mr. ADAMS. No.

Senator MUNDT. Did you know about that?

Mr. ADAMS. No, sir.

Senator MUNDT. Did you learn about it the first time that the chairman learned about it, when you read about it in the paper following the press conference?

Mr. ADAMS. Yes, sir.

Senator MUNDT. So it could not have influenced any of the judgments of Mr. Carr certainly prior to March 12?

Mr. ADAMS. No, sir; it did not.

Senator MUNDT. May I point out that in the specifications signed by Mr. Welch, under date of April 13 you have mentioned Mr. Carr under the heading of "Items By Which Senator McCarthy, Counsel Cohn, and Other Members of the Staff Sought By Improper Means To Obtain Preferential Treatment For One Pvt. G. David Schine." You mention him in this specification dated April 13 eight different times.

As I have asked you about these events specifically and individually, you have stated now under oath that at the time they happened you did not believe that they were acts of intimidation or threats or improper means to obtain preferential treatment.

I point out to you that in this item of April 13, issued a month and a day after March 12, no reference of any kind is made there to the documentation you refer to now as the reason why you believe Mr. Carr acted improperly. It does not appear in this specification. Why not?

Mr. ADAMS. Well, as Mr. Welch has stated, I did not participate in the preparation of that series of specifications, sir.

Senator MUNDT. Were you not consulted by Counsel Welch at the time he was preparing it?

Mr. ADAMS. In a very cursory manner; we were all very busy at that time, sir.

Senator MUNDT. Surely Mr. Welch did not, out of his own creative imagination on record of facts, prepare these specifications, because he had come recently from Boston and knew nothing about this of his own personal experience. He must have gotten it from your files or from you or from your records or from your associates; right?

Mr. ADAMS. He got it from interviews, from our files, records, and from our associates. But I did not see it before—

Senator MUNDT. At all events, the document, the specifications, as they stand before us, are entirely silent insofar as the latest charge is concerned, that your allegations and accusations of impropriety against Mr. Carr grew out of something that was released on March 12. There isn't any dispute about that fact; is there?

Mr. ADAMS. I think I have succeeded in creating a false impression, Mr. Senator.

Senator MUNDT. I am trying to get the correct one. I want to point out again that I have no more interest in Mr. Carr than I have in Mr. Adams. All of the people involved in this controversy are friends of mine. I can tell you honestly that I certainly have no preconceived prejudice in this case. I wouldn't know how to get one and, if I had one, I wouldn't know on which side to put it, because everybody here is a friend of mine. I am trying to get at the facts.

I would like to have the reporter read my last question, which has not yet been answered. Will the reporter read it and get the attention of the witness. If I have overlooked in my reading something in this document of April 13, I want Mr. Welch or Mr. St. Clair or Mr. Adams to correct me. If I have not overlooked it, I want him to answer the question.

(The reporter read the question as recorded.)

Senator MUNDT. Will you answer the question now?

Mr. ADAMS. Well, what I started to say was the incident occurred which are in the original Army paper, March 10 or 11, whichever it is. And the memoranda which were issued subsequently gave me obvious reason to reexamine and search every one of those incidents for the purpose of ascertaining in my own mind as to what the motive was, and in view of my own attitude with reference to the memoranda to which I have referred, it was obvious—not that it was obvious, but it became apparent to me that I had to reevaluate my opinion. I did reevaluate my opinion as to the effect or the force of these isolated events, and it appeared to me quite clearly very shortly after the 12th

of March, that I had to consider Mr. Carr as an active participant, even though the specific event had not seemed significant at the time.

Senator MUNDT. I am sorry, Mr. Adams, but may I respectfully remind you that you have not answered the question. I asked you why in this process of reevaluation, after a month and a day, when you prepared the specific accusations under date of April 13, the document stands completely silent on the one charge that you now say you believe sufficient to cause concern to this committee—on the release of the document. You knew nothing about them before March 12 and neither did we.

Mr. ADAMS. Again I must state, sir, I did not participate in the preparation of that document. If it stands silent in that respect, I consider it a defect in the document.

Senator MUNDT. You do not deny that it stands silent in that respect, do you?

Mr. ADAMS. I don't remember the document well enough. I certainly take your word that it stands in defect.

Senator MUNDT. I certainly stand ready to be corrected by a point of order, if I am misquoting the document. I hear no point of order. I assume it stands silent. May I say that after this same line of inquiry with Mr. Stevens, he made what I thought was a fair statement. After his complete inability to document a single charge against Mr. Carr, he said, "If I were one of the committee members on the basis of my testimony, I would acquit Mr. Carr." Let me ask you sir—forgetting now the document of March 12 which you have said in your opinion you do consider important, on the basis of these 9 other statements in the document of events, and the 8 statements in the specifications, not one of which were you willing under oath to say you considered a matter of sufficient importance to be an intimidation or a threat against the Army—would you feel the committee would be justified on the basis of that evidence, apart from the document of March 12, to acquit Mr. Carr?

Mr. ADAMS. I think on the basis of my experience with Mr. Carr, prior to the publication of these documents, they had not seemed to me, these specific incidents in themselves, to be improper.

Senator MUNDT. Thank you. I think I will not have to talk to you further, about Mr. Carr. We are agreed we will have to ask him about the document of March 12. My time has expired.

Senator JACKSON?

Senator JACKSON. No questions at this time.

Senator MUNDT. We will go around. We will finish this round, Mr. Welch, and let you go.

Senator DIRKSEN?

Senator SYMINGTON?

Senator SYMINGTON. Mr. Adams, would you ask your counsel—strike that. As I remember the testimony, both you and Secretary Stevens state that you did not see these charges when they were, according to counsel, hurriedly gotten together. Would you ask your counsel if he had more leisure to get the charges up, and, based upon what he now knows, whether he would remove Mr. Carr from the charges?

Mr. ADAMS. My counsel advises me that he would not.

Senator SYMINGTON. No questions, Mr. Chairman.

Senator MUNDT. Senator Dworshak?

Senator DWORSHAK. No questions.

Senator MUNDT. Have I asked you, Senator Jackson?

Senator JACKSON. Yes. I passed.

Senator MUNDT. Very well, Mr. Welch or Mr. St. Clair?

Senator McCarthy? Senator McCarthy or Mr. Cohn, 10 minutes.

And after this 10 minutes, I suggest that we recess until 10 o'clock on Monday.

Senator McCARTHY. Mr. Adams—

Mr. ADAMS. Yes, sir?

Senator McCARTHY. I have just witnessed a very unusual spectacle here and I wonder if you are going to let it stand over the weekend. I listened to the very pointed questioning of Senator Mundt, and I find that you admit that as of the date you issued the charges against Mr. Carr, April 13, in which you say he sought by improper means to obtain preferential treatment for Schine, et cetera, and then you talk about threats, you now say that it was not until I issued my answer to your charges that you felt that Mr. Carr was guilty of any improper conduct. So we have the record, unless I misunderstand you, the record now establishes that at the time these charges were made, at the time the original charges were made, you then had no knowledge, no inclination to think, that Mr. Carr had done anything improper, but in your memorandum there are charges.

This seems to me to be far beyond the point of decency, and when Mr. Welch, your counsel, says even though you had no evidence to back that up, he would still charge Mr. Carr with improper conduct. I think the committee should, not today but sometime, put Mr. Welch on the stand and find out why he feels that even though you had no knowledge of any improper conduct, and Mr. Stevens had no knowledge of any improper conduct on the part of Mr. Carr, somebody sets out to get the reputation, the job, of this young man who has had such an outstanding record, not only with the FBI but with my committee. This is not a question, but I think that you should not let this stand over the weekend. If you want to comment on it, I think you should.

I will turn the questioning over to Mr. Cohn.

Mr. COHN. Just 1 or 2 things here, I believe yesterday you were asked by Mr. Jenkins whether or not it is a fact that the members of the loyalty board of the Government Printing Office came and appeared before this committee without asserting any legal objection whatsoever. You know that to be a fact, don't you, sir?

Mr. ADAMS. I don't know much about it, but I heard that that happened.

Mr. COHN. You heard a good deal of discussion between us?

Mr. ADAMS. Yes, I heard.

Mr. COHN. We said that after we found some security risks, Communists, in the Government Printing Office, this committee called in the members of the loyalty board and they were questioned and they asserted no legal objection; isn't that right, sir?

Mr. ADAMS. That is correct.

Mr. COHN. In view of that, it was certainly not a consistent Government policy to deny to congressional committees the right to question these people, was there?

Mr. ADAMS. I cannot state the consistent Government policy, but I can point out that it is part of the legislative branch and not the executive branch.

Mr. COHN. That is what you pointed out. But isn't it a fact that the Government Printing Office is under the very same Presidential directive that the Army is, and that the Director of the Government Printing Office is an appointee of the President?

Mr. ADAMS. The Director is an appointee of the President. I think, and I am subject to correction here, I think that the Presidential directive refers to the executive branch. But I am subject to correction there.

Mr. COHN. I won't take the time now but over the weekend, Mr. Adams, if you will look at the published hearings of this committee, for August 19, 20, 22, and 29, you will find in the appendix set forth directives of the Government Printing Office and this same Presidential directive, which makes it clear that the Printing Office is in precisely the same boat as the Army, subject to the same directives, and what is valid for one is just as valid for the other.

Senator JACKSON. A point of order.

Senator MUNDT. Senator Jackson.

Senator JACKSON. Am I correct in understanding that the Government Printing Office is under the supervision of the Senate and House Committee on Printing?

Senator MUNDT. The Chair certainly is in no position to give you a curbstone answer on that. I understood that the Government Printer was appointed by the President. I may be wrong.

Senator JACKSON. I think it is a part of the legislative branch.

Senator MUNDT. That part dealing with the Congressional Record certainly is under the jurisdiction of the legislative branch.

Senator JACKSON. I think it is under the Joint Committee on Printing, of which Senator Jenner is chairman.

Senator MUNDT. Is Senator Jackson of the opinion that the Joint Committee on Printing appoints the Government Printer?

Senator JACKSON. It is sort of like the General Accounting Office. It is sort of in between the legislative and the executive. I don't believe it is in the same category.

Senator MCCARTHY. I don't understand the point of order.

Senator MUNDT. Senator Jackson raises the point of order, I think, if I understand, that because the Joint Committee on Printing has certain jurisdictional functions with the Government Printing Office, which I know to be true certainly in the limited category of Government hearings, because I have had a lot of contact with them lately about these hearings—the pertinent point seems to be whether or not the directive is applicable all the way around.

Mr. COHN. I so stated and I state that the public hearings of this committee contain copies of various directives of the Government Printing Office which state that they are under—

Senator MUNDT. The Chair would suggest, if you have such a directive or such a stipulation, it may be entered as an exhibit in the record because it does not seem to be subject to debate. It is a matter of fact.

Mr. COHN. I pass it over to Senator Jackson. I have another copy. With your permission, may we put it in the record.

Senator MUNDT. It will be made a part of the record and given the appropriate exhibit number.

(The administrative order mentioned above was marked as "Exhibit No. 18" and will be found in the appendix on p. 1239.)

Mr. COHN. I am referring here in this exhibit to part 2 of our Government Printing Office hearings, Senator Mundt, page 152, No. 3, which is an administrative order referring to the Executive order with which we are concerned here.

Just 1 or 2 or 3 things, Mr. Adams.

I believe you described in some detail a telephone conversation which you say you had with me on about December 11. Do you remember that, sir?

Mr. ADAMS. Was that the telephone conversation with reference to Schine's weekday availability or Saturday morning availability?

Mr. COHN. Yes; that is what you say it was about.

Mr. ADAMS. I stated that there was a series of conversations on either the afternoon of December 4 or December 11.

Mr. COHN. Yes. I believe you originally stated it was December 11. I don't care much which day.

Mr. ADAMS. No, I think I stated consistently that I wasn't sure which of the 2 days it was.

Mr. COHN. Mr. Adams, in the original report I believe you indicated it was the afternoon of December 11. Am I not correct in that?

Mr. ADAMS. If that is what the charges say, that is right.

Mr. COHN. You may check that, sir, and if I am wrong, you or Mr. Welch might correct me.

In that conversation, I believe you say that I abused you, used vituperative language, and it was a thoroughly unpleasant affair.

Mr. ADAMS. Yes.

Mr. COHN. Is that right, sir?

Mr. ADAMS. Yes.

Mr. COHN. It would be thoroughly inconsistent with your story, then, sir, would it not, if in that same conversation you asked me to contact some relatives of yours in Brooklyn and procure theater tickets for them and for you? You certainly wouldn't do that if I had been abusing you and using obscenities and there had been a thoroughly unpleasant conversation?

Mr. ADAMS. There were three conversations, I think, that afternoon, Mr. Cohn. And, as I have testified before, when we had difficulties over the telephone or face-to-face, it would ebb and flow.

Mr. COHN. I see.

Mr. ADAMS. There could be some pleasant conversation and then it would erupt.

Mr. COHN. During the ebb, you think you might have asked me to get these theater tickets for you?

Mr. ADAMS. It is conceivable.

Mr. COHN. I see. Did you cancel the order during the flow?

Mr. ADAMS. I don't recall this conversation exactly.

Mr. COHN. I see.

Mr. Adams, do you think you might have forgotten to tell the committee there was considerable talk about General Lawton on that afternoon?

Mr. ADAMS. I don't think I would have forgotten to, because I don't remember it.

Mr. COHN. Do you remember any now, sir?

Mr. ADAMS. I do not.

Mr. COHN. Don't you remember asking me to talk to any people in New York and New Jersey about General Lawton and possibly arranging an appointment for you and me jointly to talk to some people about him the next week?

Mr. ADAMS. I remember a conversation we had. I don't isolate the date. I remember the reason that you said you were concerned about General Lawton, a reason which was new to me.

Mr. COHN. Was this December 11, sir?

Mr. ADAMS. I don't remember.

Mr. COHN. Maybe over the weekend you could think about that and tell us.

Mr. ADAMS. I don't think I could isolate when that conversation was.

Mr. COHN. Could you tell us, this, then, sir? Do you recall now that the conversation in which you asked me—and I don't object to it and I don't think it was improper—to call some aunts of yours in Brooklyn and arrange a theater party for the next week when you expected to be in New York—could you recall for us whether that was not the very conversation in which you said yesterday I abused you and used obscenities and a thoroughly unpleasant situation was created?

Mr. ADAMS. I don't remember, Mr. Cohn. As you know, we talked many times.

Mr. COHN. This is pretty important to me, Mr. Adams. This one is pretty important to me.

Mr. ADAMS. I understand that.

Mr. COHN. I would suggest to the committee that if in fact I had abused you and used these obscenities, it would be quite inconsistent for you in that same conversation to ask me to put myself out to the point of contacting your aunts in Brooklyn.

Mr. ADAMS. My recollection, Mr. Cohn, is that on that afternoon we talked about three times. My record—what records I have indicate that we talked many times. As I have stated, our relationship would ebb and flow. There were times when we would talk in very friendly relationship, as you well know. There were times when that was not the case.

Mr. COHN. I am addressing myself particularly, sir, now——

Mr. ADAMS. What happened on that particular—when it was that I talked to you about that theater party that I was planning to arrange, I don't remember.

Mr. COHN. Sir——

Mr. ADAMS. It was in December.

Mr. COHN. I am suggesting to you, sir, it was in this very conversation in which you say that I abused you and used all sorts of obscenities and created a thoroughly unpleasant situation. I am wondering if you can't give me some help and search your memory on that point.

Mr. ADAMS. I can neither agree nor disagree because I don't remember what conversation it was.

Mr. COHN. Can you recall whether or not you asked me to call your aunts and see if I could get tickets for a certain show and then call you back in Washington and report whether or not I had succeeded?

Mr. ADAMS. I recall a conversation about that. I recall that you agreed to do it. You were very gracious about things like that. You always were.

Mr. COHN. This was during the ebb?

Mr. ADAMS. That is right. I am not sure it was one of the difficult conversations.

Mr. COHN. I see. Anyway there was this difficult conversation on December 11; is that right, or before that?

Mr. ADAMS. Oh, yes, there was.

Mr. COHN. Did this little theater party actually come off on December 16?

Mr. ADAMS. Yes, it did.

Mr. COHN. In any event, I did get the tickets and did arrange this thing for you after this abuse and after these obscenities.

Mr. ADAMS. If you remember, Mr. Cohn, we sat together in your office in New York on December 16, and I said that I had decided I was going to go to the theater that night and I had no luck on tickets. You telephoned two or three friends of yours in my presence—I don't know who it was you telephoned—and one of them gave you a choice of two or three theaters for which there were tickets, and I selected Wonderful Town, a play that Rosalind Russell was in. You arranged for the tickets, and I picked them up.

Mr. COHN. Mr. Adams, didn't you go a little bit further? I again want to make it very clear I don't think there was the slightest impropriety in it, and I was very happy to do it. Didn't you ask me to arrange for a little dinner for you and your family prior to that at Sardi's restaurant and call up and make reservations?

Mr. ADAMS. That is quite correct. I asked you if you could make a reservation for me so I could get a table there.

Mr. COHN. This was after I had heaped these obscenities and abuses upon you; is that correct?

Mr. ADAMS. Oh, yes. It was between them.

Mr. COHN. It was between them. I see. I assume, Mr. Adams, too, that your code of life would be such that you felt no reluctance in accepting the hospitality of myself and my family the night after you claim you were threatened by me at Fort Monmouth.

Mr. ADAMS. I have already described the circumstances of accepting the hospitality of yourself and your family, and I have stated that I thought your mother and father were very gracious to me, and they were.

Mr. COHN. Thank you for that. I appreciate it. That was the day after all these threats had taken place.

Mr. ADAMS. That is correct.

Mr. COHN. I see. Mr. Adams, let's come up to recent times. You have testified here—in fact, you said, I think, I abused you more than all other people you talked to.

Senator MUNDT. I am sorry, your time has expired, Mr. Cohn, and, since you are going to a new subject, we will stand in recess until 10 o'clock Monday morning.

(Whereupon, at 5 p. m., the hearing was recessed, to reconvene at 10 a. m., Monday, May 17, 1954.)

APPENDIX

EXHIBIT NO. 18

No. 3

[Administrative Order No. 90, May 28, 1953—Revised September 1, 1953]

EMPLOYEE SECURITY PROGRAM

Pursuant to the authority contained in the Act of August 26, 1950, 64 Stat. 476, and Executive Order No. 10450 of April 27, 1953, I hereby prescribe the following regulations relating to the security program of the Government Printing Office:

SECTION 1. *Definitions*

(a) As used herein, the term "national security" relates to the protection and preservation of the military, economic, and productive strength of the United States, including the security of the Government in domestic and foreign affairs, against or from espionage, sabotage, and subversion, and any and all other illegal acts designed to weaken or destroy the United States.

(b) As used herein, the term "sensitive position" shall mean any position in the Government Printing Office the occupant of which could bring about, because of the nature of the position, a material adverse effect on the national security. Such positions shall include, but shall not be limited to, any position the occupant of which (1) may have access to security information or material classified as "confidential," "secret," or "top secret," or any other information or material having a direct bearing on the national security, and (2) may have opportunity to commit acts directly or indirectly adversely affecting the national security.

SECTION 2. *Policy*

It shall be the policy of the Government Printing Office, based on the said Act of August 26, 1950, and the said Executive Order No. 10450, to employ and to retain in employment only those persons whose employment or retention in employment is found to be clearly consistent with the interests of the national security.

SECTION 3. *Security Standards*

(a) No person shall be employed, or retained as an employee, in the Government Printing Office unless the employment of such person is clearly consistent with the interests of the national security.

(b) Information regarding an applicant for employment, or an employee, in the Government Printing Office which may preclude a finding that his employment or retention in employment is clearly consistent with the interests of the national security shall relate, but shall not be limited, to the following:

(1) Depending on the relation of the Government employment to the national security:

(i) Any behavior, activities, or associations which tend to show that the individual is not reliable or trustworthy.

(ii) Any deliberate misrepresentations, falsifications, or omissions of material facts.

(iii) Any criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, habitual use of intoxicants to excess, drug addiction, or sexual perversion.

(iv) An adjudication of insanity, or treatment for serious mental or neurological disorder without satisfactory evidence of cure.

(v) Any facts which furnish reason to believe that the individual may be subjected to coercion, influence, or pressure, which may cause him to act contrary to the best interests of the national security.

(2) Commission of any act of sabotage, espionage, treason, or sedition, or attempts thereat or preparation therefor, or conspiring with, or aiding or abetting, another to commit or attempt to commit any act of sabotage, espionage, treason, or sedition.

(3) Establishing or continuing a sympathetic association with a saboteur, spy, traitor, seditionist, anarchist, or revolutionist, or with an espionage or other secret agent or representative of a foreign nation, or any representative of a foreign nation whose interests may be inimical to the interests of the United States, or with any person who advocates the use of force or violence to overthrow the Government of the United States or the alteration of the form of government of the United States by unconstitutional means.

(4) Advocacy of use of force or violence to overthrow the Government of the United States, or of the alteration of the form of government of the United States by unconstitutional means.

(5) Membership in, or affiliation or sympathetic association with, any foreign or domestic organization, association, movement, group, or combination of persons which is totalitarian, Fascist, Communist, or subversive, or which has adopted, or shows, a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or which seeks to alter the form of government of the United States by unconstitutional means.

(6) Intentional, unauthorized disclosure to any person of security information, or of other information disclosure of which is prohibited by law, or willful violation or disregard of security regulations.

(7) Performing or attempting to perform his duties, or otherwise acting, so as to serve the interests of another government in preference to the interests of the United States.

SECTION 4. *Security Investigations*

(a) Security investigations conducted pursuant to these regulations shall be designed to develop information as to whether employment or retention in employment by the Government Printing Office of the person being investigated is clearly consistent with the interests of the national security.

(b) Every appointment made within the Government Printing Office shall be made subject to investigation. The scope of the investigation shall be determined in the first instance according to the degree of adverse effect the occupant of the position sought to be filled could bring about, by virtue of the nature of the position, on the national security, but in no event shall the investigation include less than a national agency check (including a check of the fingerprint files of the Federal Bureau of Investigation) and written inquiries to appropriate local law-enforcement agencies, former employers and supervisors, references, and schools and colleges attended by the person under investigation: *Provided*, That to the extent authorized by the Civil Service Commission a less investigation may suffice with respect to per diem, intermittent, temporary, or seasonal employees, or aliens employed outside the United States. Should information develop at any stage of investigation indicating that the employment of any such person may not be clearly consistent with the interests of the national security, there shall be conducted with respect to such person a full field investigation, or such less investigation as shall be sufficient to enable the Public Printer to determine whether retention of such person is clearly consistent with the interests of the national security.

(c) No sensitive position in the Government Printing Office shall be filled or occupied by any person with respect to whom a full field investigation has not been conducted: *Provided*, That a person occupying a sensitive position at the time it is designated as such may continue to occupy such position pending the completion of a full field investigation, subject to the other provisions of these regulations: *And provided further*, That in case of emergency a sensitive position may be filled for a limited period of time by a person with respect to whom a full field preappointment investigation has not been completed if the Public Printer finds that such action is necessary in the national interest. Such finding shall be made a part of the personnel record of the person concerned.

(d) Whenever a security investigation being conducted with respect to an employee of the Government Printing Office develops information relating to any of the matters described in subdivisions 2 through 7 of subsection (b) of section 3 of these regulations, or indicates that an employee has been subject to coercion, influence, or pressure to act contrary to the interests of the national security, the matter shall be referred to the Federal Bureau of Investigation for a full field investigation.

(e) Investigative reports received from the Civil Service Commission or the Federal Bureau of Investigation shall be evaluated by the Security Officer of the Government Printing Office.

SECTION 5. *Suspension and Termination*

(a) The authority conferred by the act of August 26, 1950 (64 Stat. 476), upon the heads of departments and agencies to which such act is applicable to suspend civilian employees, without pay, when deemed necessary in the interests of the national security and recommended by the Security Officer is hereby delegated with respect to employees of the Government Printing Office to the Director of Personnel.

(b) Upon receipt of an investigative report containing derogatory information relating to any of the matters described in subsection (b) of section 3 of these regulations, the Security Officer of the Government Printing Office shall immediately evaluate the report from the standpoint of the security of the Government Printing Office.

(c) The Security Officer shall make an immediate positive determination as to the necessity for suspension of the employee in the interests of the national security. If he deems such suspension necessary, and so recommends to the Director of Personnel, the employee shall be suspended immediately. If he does not deem such suspension necessary, a written determination to that effect shall be made a part of the investigation file of the person concerned.

(d) Factors to be taken into consideration in making the determination required by subsection (c) of this section shall include, but shall not be limited to, (1) the seriousness of the derogatory information developed, (2) the possible access, authorized or unauthorized, of the employee to security information or material, and (3) opportunity, by reason of the nature of the position, for committing acts adversely affecting the national security. Pending final determination in cases in which ameliorating circumstances are present, the employee may, with the approval of the Security Officer, be transferred temporarily to a position in which the interests of the national security cannot be adversely affected by the employee.

(e) In case the employee is suspended, the Chief, Employee Relations Section, shall notify the suspended employee as soon as possible of the reasons for his suspension. Such notice shall be in writing, and shall be as specific and detailed as security considerations, including the need for protection of confidential sources of information, permit.

(f) A suspended employee shall have the right to submit, within 30 days after notification of his suspension, to the Security Officer, statements and affidavits refuting or explaining the stated reasons for suspension. Such statements and affidavits shall be considered by the Security Officer for sufficiency, and a recommendation for the disposition of the case shall be made to the Public Printer.

(g) On the basis of the recommendation, the Public Printer shall make his determination of the case as follows:

(1) If he finds that reinstatement of the suspended employee in the position from which he has been suspended is clearly consistent with the interests of the national security, he shall restore the suspended employee to duty in such position, and the employee shall be compensated for the period of suspension.

(2) If he does not find that reinstatement in the position from which he has been suspended will be clearly consistent with the interests of the national security, but that employment of the suspended employee in another position in the Government Printing Office is clearly consistent with the interests of the national security, he may restore the employee to duty in such other position.

(3) If he does not find that reinstatement of the suspended employee to any position in the Government Printing Office is clearly consistent with the interests of the national security, he shall terminate the employment of the suspended employee.

(4) If the employment of the suspended employee is terminated the employee shall be given a written notice of such termination, to be signed by the Chief, Employee Relations Section.

(h) In addition to the protection granted by subsections (e) through (g) of this section to all employees of the Government Printing Office, any employee who is a citizen of the United States and who has a permanent or indefinite appointment and has completed his probationary or trial period shall be entitled to the following:

(1) A written statement of charges shall be furnished the employee within 30 days after his suspension. The statement shall be signed by the Chief, Employee Relations Section, and shall be as specific and detailed as security considerations, including the need for protection of confidential sources of information, permit, and shall be subject to amendment within 30 days of issuance. The letter of charges will contain a statement advising the employee that deliberate misrepresentations, falsifications, or omission of material facts may constitute sufficient basis for removal.

(2) An opportunity shall be afforded the employee to answer, within 30 days after issuance of the statement of charges or within 30 days after the amendment thereof, such charges and submit affidavits. Statements in refutation of the charges and supporting documents shall be forwarded to the Security Officer, who shall determine the sufficiency of the answer. The Security Officer shall make a recommendation to the Public Printer.

(3) The employee shall be given a hearing before a hearing board composed of at least three impartial, disinterested persons, selected in accordance with the procedure set forth in section 8 of these regulations. The hearing shall be conducted in strict accordance with the procedure set forth in section 9 of these regulations. The decision of the hearing board shall be in writing and shall be signed by all members of the board. One copy of the decision shall be sent to the Public Printer and one copy shall be sent to the suspended employee.

(4) The entire case shall be reviewed by the Public Printer before a decision to terminate the employment of a suspended employee is made final. The review shall be based on a study of all the documents in the case, including the record of the hearing before the hearing board.

(5) The employee shall be furnished a written statement of the decision of the Public Printer.

(i) Copies of all notices of personnel action taken in security cases shall be supplied at once by the Security Officer to the Civil Service Commission.

SECTION 6. *Readjudication of Certain Cases*

The Security Officer shall review all cases of employees of the Government Printing Office with respect to whom there has been conducted a full field investigation under Executive Order No. 9835 of March 21, 1947. After such further investigation as may be appropriate, such of those cases as have not been adjudicated under a security standard commensurate with that established by Executive Order No. 10450 of April 27, 1953, and these regulations shall be readjudicated in accordance with the said Act of August 26, 1950, and these regulations.

SECTION 7. *Reemployment of Employees Whose Employment Has Been Terminated*

No person whose employment has been terminated by any department or agency other than the Government Printing Office under or pursuant to the provisions of the said Act of August 26, 1950, or pursuant to the said Executive Order No. 9835 or any other security or loyalty program, shall be employed in the Government Printing Office unless the Public Printer finds that such employment is clearly consistent with the interests of the national security and unless the Civil Service Commission determines that such person is eligible for such employment. The finding of the Public Printer and the determination of the Civil Service Commission shall be made a part of the personnel record of the person concerned.

SECTION 8. *Security Hearing Boards*

(a) Security hearing boards of the Government Printing Office shall be composed of not less than three civilian officers or employees of the Federal Government, selected by the Public Printer from rosters maintained for that purpose by the Civil Service Commission in Washington, D. C., and at regional offices of the Commission.

(b) No officer or employee of the Government Printing Office shall serve as a member of a security hearing board hearing the case of an employee of the Government Printing Office.

(c) No person shall serve as a member of a security hearing board hearing the case of an employee with whom he is acquainted.

(d) The Security Officer of the Government Printing Office shall nominate three civilian officers or employees to the security hearing board roster maintained in Washington by the Civil Service Commission. The Security Officer shall nominate three civilian officers or employees to the security hearing board

roster maintained at the appropriate regional office of the Civil Service Commission.

(e) Officers and employees nominated to security hearing board rosters maintained by the Civil Service Commission, both in and outside of Washington, D. C., shall be persons of responsibility, unquestioned integrity, and sound judgment. Each such nominee shall have been the subject of a full field investigation, and his nomination shall be determined to be clearly consistent with the interests of the national security.

(f) The Security Officer shall whenever appropriate provide stenographic facilities to the security hearing boards of the Government Printing Office when needed to provide an accurate stenographic transcript of the hearing.

(g) The Security Officer shall be responsible for the preparation of the charges against the employee to be presented to the security hearing board. Whenever possible the Public Printer shall be represented at the hearing. Such representative shall not act as prosecutor, but shall aid the board in its determination as to procedure, and shall advise the employee of his rights before the board upon request of the employee.

SECTION 9. *Hearing procedure*

(a) Hearings before security hearing boards shall be conducted in an orderly manner, and in a serious, businesslike atmosphere of dignity and decorum, and shall be expedited as much as possible.

(b) Testimony before the hearing boards shall be given under oath or affirmation.

(c) The hearing board shall take whatever action is necessary to insure the employee of a full and fair consideration of his case. It is the responsibility of the board to make sure, within a reasonable time prior to the hearing, that the employee has been informed of his right (1) to participate in the hearings, (2) to be represented by counsel of his choice, (3) to present witnesses and offer other evidence in his own behalf and in refutation of the charges brought against him, and (4) to cross-examine any witness offered in support of the charges.

(d) Hearings shall be opened by the reading of the letter setting forth the charges against the employee, and the statements and affidavits by the employee in answer to such charges.

(e) Both the Government Printing Office and the employee may introduce such evidence as the hearing board may deem proper in the particular case. Rules of evidence shall not be binding on the board, but reasonable restrictions shall be imposed as to the relevancy, competency, and materiality of matters considered, so that the hearings shall not be unduly prolonged. If the employee is, or may be, handicapped by the nondisclosure to him of confidential information or by lack of opportunity to cross-examine confidential informants, the hearing board shall take that fact into consideration. If a person who has made charges against the employee and who is not a confidential informant is called as a witness but does not appear, his failure to appear shall be considered by the board in evaluating such charges, as well as the fact that there can be no payment for travel of witnesses.

(f) The employee or his counsel shall have the right to control the sequence of witnesses called by him. Reasonable cross-examination of witnesses by the employee or his counsel shall be permitted.

(g) The hearing board shall give due consideration to documentary evidence developed by investigation, including party membership cards, petitions bearing the employee's signature, books, treatises or articles written by the employee, and testimony by the employee before duly constituted authorities. The fact that such evidence has been considered shall be made a part of the transcript of the hearing.

(h) Hearing boards may, in their discretion, invite any person to appear at the hearing and testify. However, a board shall not be bound by the testimony of such witness by reason of having called him, and shall have full right to cross-examine him.

(i) Hearing boards shall conduct the hearing proceedings in such manner as to protect from disclosure information affecting the national security or tending to disclose or compromise investigative sources or methods.

(j) Complete *verbatim* stenographic transcript shall be made of the hearing by qualified reporters, and the transcript shall constitute a permanent part of the record. Upon request, the employee or his counsel shall be furnished, at reasonable cost, a copy of the transcript of the hearing.

(k) The board shall reach its conclusions and base its determination on the transcript of the hearing, together with such confidential information as it may have in its possession. The board, in making its determination, shall take into consideration the inability of the employee to meet charges of which he has not been advised, because of security reasons, specifically or in detail, or to attack the credibility of witnesses who do not appear. The decision of the board shall be in writing, and shall be signed by all members of the board. One copy of the decision of the board, together with the complete record of the case, including investigative reports, shall be sent to the Public Printer and one copy of the decision shall be sent to the employee.

(l) Hearings shall be private. There shall be present at the hearing only the members of the hearing board, the stenographer or stenographers, the employee, his counsel, Government Printing Office employees concerned and the witnesses. Witnesses shall be present at the hearing only when actually giving testimony.

Administrative Order No. 45 of November 14, 1947, and supplements thereto and all other orders and regulations or parts thereof which are inconsistent with the foregoing are hereby rescinded.

RAYMOND BLATTENBERGER, *Public Printer.*

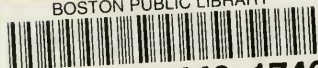
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